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THE HISTORY OF ENGLAND

From the Beginning of the Reign of

Queen *ANNE*,

To the Concluſion of the Glorious

TREATY of UNION

BETWEEN

England and *Scotland*.

COMPREHENDING

All the moſt Memorable Tranſactions (Publick and Private) both at Home and Abroad.

WITH THE

Proceedings at Large of both Parliaments in Relation to the UNION, and all the Remarkable SPEECHES that have been made in Parliament upon that and other Occaſions, ſince Her Majeſty's Acceſſion to the Throne.

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BIBLIOTHECA · BODLEIANA

TO THE

HONOURABLE

Sir *JOHN LEAKE* Kt.

Vice-Admiral of the White Squadron of Her Majeſty's Royal Navy.

SIR,

HAving undertaken ſo difficult a Task as the Hiſtory of theſe Miraculous Events of Her Majeſty's Happy and Proſperous Reign, and being ſenſible of the Unequalneſs of my Strength to ſupport ſo Noble a Subject, with that Force its Excellence deſerves; I conſider'd what Patron I ſhould find out, under the Protection of whoſe Merits, I might ſhelter the Defects of my Performance by the Juſtice of my Zeal. I cou'd think of none

more worthy of the Deeds, or more capable of being an Honourable Refuge to the Author, than your Self, who have ſo great a ſhare of the Glories I write of; aſſuring my ſelf, that the ſame Greatneſs of Soul, that inſpir'd your Heroic Actions, would ſupply Generoſity ſufficient to guard my Endeavours. In great Attempts, the very Will is a ſort of Merit:

In magnis voluiſſe ſat eſt.

And if the Wonders of this Reign muſt not be committed to Writing, till a Genius be found equal to the Undertaking, 'tis to be fear'd, an Age would ſcarce produce a fit Hiſtorian.

But tho' the Difficulty be ſo great to riſe up to the Worth of the Actions, yet the Author has the Satisfaction in this Addreſs, that the Matter of this Hiſtory, without the Graces and Embelliſhments of Art, will be an Entertainment worthy your leiſure hours. Yet I would fain flatter my ſelf, that the following Treatiſe is not a bare, and cold Account of Matter of Fact, but that the Things I relate have ſometimes rais'd me above a *jejune* Narration. To Write, as well, as You the Heroes of the Story Fought, requires a Soul equal to Yours; and

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it wou'd be too great an Injury to Your Valour and Conduct, to let the *Britiſh* Glory lie bury'd till ſuch an One ariſe.

Perhaps there never was a Time, when this Nation made ſo great and juſt a Figure in the World, as the preſent; or cou'd boaſt more Native Heroes both by Land and Sea: Among whom none claims a more valuable ſhare, than Sir *John Leake*. Pardon me, Sir, I do not mean here to make any Compariſon betwixt the Worthies of our Time and Nation; the Task wou'd be invidious, and diſagreeable to all Men; But you muſt give me leave to pay a particular Deference to thoſe uſeful Glories which ſeem by Nature appropriated to *Britain*. Providence has made us an Iſland, and ſo choſen for us the Trophies of the Sea, which only can ſecure our Country and Commerce in All Times. The Advantages we gain by our Admirals is, as peculiar, as laſting, and a *Briton* that loves his Country, cannot but have a particular Eſteem and Love for our Naval Heroes; among whom every one agrees to place you, Sir, in the foremoſt Rank.

Here, Sir, according to the Cuſtom of Dedications, I ſhou'd endeavour to draw the agreable Lineaments of thoſe Excellent Qualities and Virtues, that are ſo conſpicuous in You, as to render you the Darling

of the Fleet and Nation; but as I find my ſelf incapable to Paint them in their proper Proportions and Colours; ſo I am ſenſible, that the ſetting them in the faireſt Light, might endanger an Offence againſt Your Modeſty, which is too valuable a Virtue in ſo great Merit to ſuffer me to offend againſt it.

I ſhall therefore ſay nothing of thoſe rare Endowments of Knowledge, Affability, Generoſity, Courage and the reſt of the ſhining Qualities, that compoſe Your Character; they are ſufficiently known, not only to your Friends, but all the World. Your Actions and Conduct are too notorious to need a Herald, ſince all *Europe* has been witneſs of them. A bare Hiſtory of them is a Panegyric beyond the Art of a *Pliny* to improve.

To ſay nothing of thoſe more private and remote in the former Reign, the firſt that brought a more conſiderable and advantageous Glory to this Nation, was the *New-found-land* Expedition, in which the ſmalleſt Prize was the taking Nine and Twenty *French* Ships, and burning Two and Twenty more; the Deſtruction of the ſeveral Settlements of the *French* in theſe Parts, at *Tarpaſſi*, St. *Mary's*, *Colonet*, the Two St. *Laurences*, the Iſle of St. *Peters*, &c. were Services to our Trade, of which this Nation yet enjoys the Benefit; by which the

the Enemy loſt the ſupport of their Fiſhery in thoſe Parts, and their Nurſery of Seamen, both not a little injurious to *Britain* in their flouriſhing Condition.

I need not repeat here, or anticipate Your double Relief of *Gibraltar*, a Place of that Importance to our Affairs in *Spain*, that all the World is ſenſible, without its ſecurity, the Progreſs of our Army in thoſe Parts had been very precarious and uncertain. Your Care, Conduct and Aſſiduity in bringing Relief to *Barcelona* is the Wonder and Joy of all *Britiſh* Hearts; by which You reſcu'd a King and ſome Nations from the fierce Deſtroyer, who had them almoſt in his Gripe; for without your Relief all our Laurels in *Catalonia* had ſoon wither'd, and that Country fall'n again under a ſeverer Slavery than before.

Theſe, Sir, are Things, which will be ſeen in a better Light in the following Narration, and I ſhould but injure your Merit by dwelling longer on them here: Let it ſuffice, Sir, that I preſent this Book to Your Patronage, as an Addreſs from One of thoſe Millions, who enjoy the Benefit of your Conduct, and Valour; And whilſt I take hold of this Opportunity of Congratulating Your Succeſs in

this

this Manner, 'tis no more, than every *Briton* wou'd do if in his Power; I am oblig'd to my better Fate for this Good Fortune, and eſteem it the Chief Bleſſing of my Life, that I have obtain'd this Happy Means of declaring how much.

I am, Sir,

Your moſt Obedient

and Devoted Servant.

THE

THE PREFACE.

THE *Pleaſure and Uſefulneſs of Hiſtory in general, I think, is too univerſally allow'd to need any Proof; and of particular Hiſtory, I do believe few will diſpute the Preference with this of the preſent Reign, either in Regard of its* Extent, *the* Variety *and* Importance *of the Actions, and the ſurprizing, and almoſt miraculous* Events, *that have happen'd from the Acceſſion of Her Sacred Majeſty* QUEEN ANNE *to the Throne of* Great Britain, *to the late Happy Union of Her Majeſty's Kingdoms of* England *and* Scotland.

The Extent of theſe Actions have been ſo large, as to engage almoſt all Parts of the known World; at leaſt, with Juſtice we may ſay,

ſay, That there was no Diviſion of the Globe, but was more or leſs affected with them, tho' the chief Share fell to Europe; the principal and moſt formidable Powers of which, have been more particularly and more violently concern'd, while the Liberty of the World was the contended Prize. The ſtruggle was whether all ſhould be Slaves to France, or France be reduc'd within ſuch Bounds, as ſhou'd not be deſtructive, or oppreſſive of his leſs potent Neigbours. The Part Great Britain has had in this Noble Effort, is ſufficiently evident to thoſe, who have had any Regard to publick Tranſactions; and the Glory which our QUEEN has gain'd by Her prudent Management and Direction of Affairs at Home, and the wiſe and various Conduct of Her Generals Abroad, is at once the Support and Pleaſure of Her Allies, and the Deſtruction and Terror of Her Enemies, and the Wonder of both.

Whoever will, in the following Treatiſe, take a ſerious Review of all the Battles, Sieges, Victories, and Turns of Fortune, that have happen'd ſince 1702, will allow, that there never was a greater Variety of important Events, than theſe laſt Five or Six Years have produc'd. The Proſpect was extreamly diſmal at the expiring of the late Peace, when we viſibly

ſaw

ſaw the growing Power of France *rather ſtrengthen'd, than weaken'd by the united Force of* Europe, *in a War of above Ten Years continuance, and farther confirm'd by that lucky Interval of Three Years; in which Time, while its Neighbours were diſarming and rendring themſelves leſs capable of Defence,* France *was arming, and providing for a Breach of that Peace it had ſought, as ſoon as it was judged conducive to his Intereſt. If we cou'd now recollect a View of this formidable Power of* France *on the Death of K.* William, *and ſee not only* Naples, Sicily, Spain, *and the* Weſt-Indies *ſurpriz'd in a Night as it were, and ſurrender'd to the Duke of* Anjou; *but the Danger approaching nearer Home, while all the ſtrong Fortreſſes of the* Netherlands *were ſeiz'd, and the Conflagration reaching our next Neighbours the* Dutch, *while their Country was almoſt unfurniſh'd, and the Enemies Armies ready to pour into the defenceleſs Republick, whoſe Heads were fain to ſubſcribe to any Conditions almoſt, that ſucceſsful Treachery thought fit to impoſe; it muſt ſhew certainly little leſs, than a Miracle, to find a ſuddain ſtop put to the Torrent of the* French *Arms, aſſiſted by ſome* German *Princes in the very Heart of the Empire; by the Allies Succeſs at* Schellenberg, *and to find the Flower of the* French *Army, and chief*

chief of their Generals, inur'd to Succeſs, if not Victories (if I may make ſo nice a Diſtinction without offending the Criticks) for about Forty or Fifty Years, Attack'd in their full Force, and routed by the Engliſh *and Confederates in ſo wonderful a manner, as to have whole Armies taken Priſoners, beſides the Numbers of Slain in the Field, and Drown'd in the* Danube, *will diſcover Events more Surprizing and Wonderful, than all the* Roman Conqueſts, *at leaſt, than any thing, that happen'd ſince the Fall of the* Roman *Empire.*

The Romans *generally prevail'd by their own exact Diſcipline, and their Enemies Ignorance of, or Defect in it, as much as by their Virtue and Proweſs; and in all thoſe ſtrange Tempeſts, or Inundations of* Goths, Vandals, Lombards, Hunns, *&c. Numbers, and Uſe in Martial Affairs oppreſs'd a People loſt to their Ancient Virtue, and diſſolv'd in Luxury and Eaſe; a People loſt in greater Effeminacy, than the* Aſiaticks, *from whence the Peſt firſt invaded its Conqueror* Rome; *as may be eaſily ſeen in* Ammianus Marcellinus. *But the Advantages, and Wonderful Events, that have aroſe in Her Majeſty's Reign, have been amongſt, and againſt Nations in*

in their full Power, in the exacteſt Diſcipline, perfect Skill, and exalted by a long Service of Succeſs.

From theſe ſhort Conſiderations it is very evident, that there has been no Period of Time, which has afforded more Materials to the Hiſtorian, or more Delight and Inſtruction to the Reader, than theſe Six Years of Her Majeſty's Auſpicious Reign. It is true, that there have not been wanting Authors to commit theſe Tranſactions to Print; but whether there has not been a greater Eye to the Advantage of the Seller, than the Inſtruction and Pleaſure of the Buyer, muſt be left to the Judgment of thoſe, who ſhall compare the following Hiſtory with what has been publiſh'd of this kind.

As there has been peculiar Care taken not to leave out any thing material, nor any Action, or Event, that has happen'd during the time it takes up; ſo all ſuperfluous and unneceſſary things, with which Books of this Nature are too frequently ſtufft, to ſwell the Volume and exhance the Price, are carefully thrown aſide, to give it the Face of an Hiſtory more, than of a meer Col-

Collection of News-papers and Pamphlets: So that the Reader may assure himself, to find here all the Matter of Fact, and Circumstances of Action, which are to be found in all the Volumes hitherto wrote on this Subject; but in a more compact manner, and 'tis hop'd in a better Method.

THE

THE HISTORY OF ENGLAND, &c.

NOthing cou'd have made the Nation more agreable and ſatisfactory amends for the Death of King *William*, (who departed this Life on *Sunday* the 8*th* of *March*, 1702. at *Kenſington*) than the immediate and happy acceſſion of Her moſt Sacred Majeſty Queen *ANNE*, to the Throne of theſe Realms; who was the ſame day Proclaim'd with the higheſt ſolemnity, according to the unanimous Reſolution of both Houſes of Parliament, extraordinary Aſſembled upon that occaſion. At which time, ſeveral Members of the Privy Council attending Her Majeſty at St. *James's*, ſhe made the following Declaration to them:

My Lords,

I Am extreamly ſenſible of the general Misfortune to theſe Kingdoms, in the unſpeakable loſs of the King, and of the great Weight and Burthen it brings in particular upon my ſelf; which nothing cou'd encourage

courage me to undergo, but the great concern I have for the Preſervation of our Religion, and the Laws and Liberties of my Country: All theſe being as dear to me, as they can be to any Perſon whatſoever, you may depend upon it, that no Pains nor Diligence ſhall ever be wanting on my part to Preſerve and Support them; to maintain the Succeſſion in the Proteſtant Line, and the Government in Church and State, as it is by Law Eſtabliſh'd.

I think it proper upon this occaſion of my ſpeaking unto you, to declare my own Opinion, of the Importence of carrying on all the Preparations We are making, to oppoſe the great Power of France: *And I ſhall loſe no time in giving our Allies all aſſurances, that nothing ſhall be wanting on my part to purſue the true Intereſt of* England, *together with Theirs, for the ſupport of the common Cauſe. In order to theſe Ends, I ſhall always be ready to ask the Advice of my Council, and of both Houſes of Parliament, and deſirous to Countenance and Employ all thoſe, who ſhall heartily concur and joyn with Me, in Supporting and Maintaining the preſent Eſtabliſhment and Conſtitution, againſt all Enemies and Oppoſers whatſoever.*

This Gracious Declaration was well receiv'd by all preſent; and Her Majeſty to remove any fears that might ariſe, caus'd all the Lords and others of the late King's Privy Council, to take the Oaths to Her in the ſame Quality: And likewiſe Her Majeſty order'd two Proclamations to be Publiſh'd, That all Perſons in any Office or Employment under the Government, ſhou'd continue till further order.

This being diſpatch'd in Council, and Her Majeſty having receiv'd the Condolance, and Congratulation of both Houſes of Parliament; the next thing was to diſpatch a Letter to the Privy Council in *Scotland*, to notify the Death of the late King, and Her own Acceſſion to the Throne, and likewiſe to aſſure them, of Her firm Reſolution,

tion, during the whole Course of Her Reign, to Protect them in their Religion, Laws and Liberties, and in the Establish'd Government of the Church. Her Majesty at the same time sent a Commission to the Earl of *Marchmont*, to be Her Commissioner in the General Assembly of that Church, which was then sitting.

This was follow'd the next day with the Humble Address of the Lords Spiritual and Temporal.

WE Your Majesty's most Dutiful and Loyal Subjects, the Lords Spiritual and Temporal in Parliament Assembled, tho' deeply sensible of the unspeakable Loss this Nation hath sustain'd by the Decease of his late Majesty of Glorious Memory; do at the same time, most heartily Congratulate Your Majesty's happy Accession to the Throne, and with all Loyalty and Duty, assure your Majesty of our zealous and firm Resolutions to support your undoubted Right and Title, and the Succession of the Protestant Line, *as by Law Establish'd, against all your Enemies whatsoever; being sensible our great Loss is no way to be repair'd, to our selves, or to our Confederates, but by a most Sincere and Vigorous adherence to your Majesty and your Allies, in the Prosecution of those Measures already enter'd into, to reduce the Exorbitant Power of* France: *And we will ever make it appear to your Majesty, and the World, That our Zeal and Affection for your Majesty's Service, and the care we have of the Publick Safety, engage Us to Exert our selves with the utmost Vigour and Union, for obtaining, under your Majesty's Reign, such a Ballance of Power and Interest, as may effectually secure the Liberties of* Europe. *And we further humbly desire, That for the Encouragement of your Majesty's Allies, no time may be lost in Communicating to them your Majesty's Resolutions of adhering firmly to the Alliances already made: And we shall never be wanting to the utmost*

of our Power, to enable your Majeſty to maintain the ſame.

To which Her Majeſty Anſwer'd,

My Lords,

It is with great ſatisfaction that I receive the Aſſurances given me in your Addreſs: My Endeavours ſhall always be ſincere to Promote the true Intereſt of England, *and ſupport the Common Cauſe.*

The Addreſs of the Commons, was full of the ſame Dutiful and Fervent Expreſſions; and was quickly followed with the Addreſſes of the whole Kingdom. Three Days after the Death of King *William*, Her Majeſty went to the Houſe of Peers, and the Commons being ſent for, She made the following Speech to both Houſes:

My Lords and Gentlemen,

I *Cannot too much lament my own Unhappineſs in ſucceeding to the Crown ſo immediately after the Loſs of a King, who was the great Support, not only of theſe Kingdoms, but of all* Europe: *And I am Extreamly ſenſible of the Weight and Difficulty it brings upon Me: But the true Concern I have for our Religion, for the Laws and Liberties of* England, *for the Maintaining the Succeſſion to the Crown in the Proteſtant Line, and the Government in Church and State, as by Law Eſtabliſh'd, encourages Me in this Great Undertaking; which I promiſe my ſelf will be ſucceſsful, by the Bleſſing of God, and the continuance of that Fidelity and Affection, of which you have given me ſo full an Aſſurance.*

The preſent Conjuncture of Affairs requires the greateſt Application and Diſpatch, and I am very glad to find in your ſeveral Addreſſes, ſo Unanimous a Concurrence in the ſame Opinion with Me, That too much cannot be done for the Encouragement of our Allies, to reduce the Exorbitant Power of France.

I can-

I cannot but think it very neceſſary upon this Occaſion, to deſire you to conſider of proper Methods toward attaining of an Union between England *and* Scotland, *which has been ſo lately recommended to you, as a Matter that very nearly concerns the Peace and Security of both Kingdoms.*

Gentlemen of the Houſe of Commons,

I need not put you in mind, That the Revenue for defraying the Expences of the Civil Government is Expir'd; I rely entirely upon your Affections for the ſupplying it, in ſuch manner as ſhall be moſt ſuitable for the Honour and Dignity of the Crown.

My Lords and Gentlemen,

It ſhall be my conſtant Endeavour to make you the beſt Return for that Duty and Affection you have Expreſs'd to Me, by a Careful and Diligent Adminiſtration for the good of all my Subjects: And as I know my own Heart to be entirely Engliſh, *I can very ſincerely Aſſure you, there is not any thing you can Expect or Deſire from me, which I ſhall not be ready to do for the Happineſs and Proſperity of* England; *and you ſhall always find me a Strict and Religious Obſerver of my Word.*

The Commons having return'd their Thanks for this Speech, by ſuch Members as were of Her Majeſty's moſt Honourable Privy Council, Sir *Charles Hedges* Reported, That Her Majeſty had Commanded him to aſſure the Houſe, That nothing ſhou'd be wanting on her Part, that might contribute to their Safety and Welfare. And the day following, the Lords attended Her Majeſty with their Humble Addreſs, Expreſſing the great Satisfaction they receiv'd from Her Majeſty's moſt Gracious Speech, and to aſſure Her, That all ſuitable Returns ſhou'd be made on their part, to Support and Enable Her to maintain Her undoubted Right to the Crown, and to keep up the Ballance of *Europe*, in Conjunction with Her Allies.

The first Honours Her Majesty dispos'd on after her Accession to the Throne, was Electing the Duke of *Bedford*, and the (then) Earl of *Marlborough*, into the Noble Order of the Garter: Creating the latter Captain General of all her Forces; And pursuant to her own Declaration in Council, and the Lords Desire in their Address, She speedily dispatch'd the following Letter to the States of *Holland:*

High and Mighty Lords, our most Dear Friends and Confederates.

'IT is not without a sensible Grief, that we 'find our Selves oblig'd to acquaint you with 'the Afflicting News of the Death of the most 'High, and most Mighty Prince *William* the Third, 'King of *England*, &c. Our most dear Brother of 'Glorious Memory: He was siez'd on *Wednesday* 'last with a Feaver, which so much increas'd the 'following days, that notwithstanding all the Re-'medies that were made use of, he expir'd on *Sun-'day* at Eight a Clock in the Morning. This is cer-'tainly a very great Loss to all *Europe*, and in par-'ticular to your State, whose Interest he always 'maintain'd with so much Valour, Prudence, Zeal 'and Conduct. And as it has pleas'd God, that we 'shou'd succeed him in the Throne of these King-'doms, we shall also succeed him in the same In-'clinations to preserve a constant Union and Amity 'with you, and maintain all the Alliances that have 'been made with your State, by our said most Dear 'Brother, and other our Predecessors; and like-'wise to concur with you in all the Measures that 'shall be necessary for the Preservation of the Com-'mon Liberty of *Europe*, and for Reducing the 'Power of *France* within due Bounds. This we 'desire you to be fully assur'd of, and that we shall 'always look upon the Interests of *England*, and 'those of your State, as inseparable; and United by 'such Tyes as cannot be broke without the greatest

'Pre-

‘ Prejudice to both Nations. We pray God to keep
‘ you High and Mighty Lords, our moſt Dear Friends
‘ and Confederates, in his Holy Protection.

Given at our Court at St. James's, March 10. Anno Dom. 1702, *and the firſt year of our Reign.*

This Letter being Tranſmitted to Mr. *Stanhope*, Her Majeſty's Envoy at the *Hague*, gave no little Conſolation to the States of *Holland*, who were then highly afflicted for the Death of King *William*; but ſomewhat recover'd upon theſe Aſſurances from Her *Britanick* Majeſty, they reſolv'd in a General Aſſembly on that Occaſion, not to let the *French* make any Advantages of their Misfortune; but rather to redouble their Efforts in the Defence of their Country, and the Preſervation and Liberty of all *Europe*.

Her Majeſty likewiſe, the more Effectually to remove the juſt Allarms of the *Dutch*, thought fit to ſend over to them the Duke (then Earl) of *Marlborough*, with the Title of Her Embaſſador Extraordinary, and Plenipotentiary; who arriving at the *Hague* (*March* 28. *N. S.*) had immediately his Publick Audience of the States, to whom he made the following Speech.

High and Mighty Lords,

‘ IT having pleas'd GOD in his Providence, ‘ to take to himſelf His Majeſty King *William*
‘ of Glorious Memory, to the great loſs of his King-
‘ doms, the State of your High and Mighty Lord-
‘ ſhips, and all *Europe*, the Queen, my Miſtriſs,
‘ who, as it hath pleas'd the ſame Providence, doth
‘ ſucceed on the Throne of her Anceſtors, as your
‘ High and Mighty Lordſhips have been inform'd
‘ by Her Majeſty's Letter, hath Commanded me
‘ at the ſame time, to expreſs to your Lordſhips
‘ Her Majeſty's great Affliction upon this Subject,
‘ to make known to you the Intereſt Her Majeſty

' takes in that which this great Misfortune occa-
' ſions to your Lordſhips in particular.

' The firſt of Her Majeſty's Cares, was to let
' your High and Mighty Lordſhip's underſtand
' Her Sincere Deſire and Inclination with the
' ſame Union, Friendſhip and ſtrict Correſpon-
' dence as hath ſubſiſted during the Courſe of the
' Preceeding Reign, as being perſuaded, that nothing
' in the World can be more Uſeful and Beneficial
' for the Good of both Nations, whoſe Intereſts are
' the ſame.

' Her Majeſty has therefore Commanded me to
' acquaint your High and Mighty Lordſhips, that
' ſhe is firmly reſolv'd to contribute all that lies in
' Her power, toward the Advancing and Increaſing
' the ſaid Union, Friendſhip and Correſpondence,
' and to make that a Conſtant Maxim of Her Go-
' vernment.

' Her Majeſty has further order'd me to aſſure
' your High and Mighty Lordſhips, that ſhe will
' not only exactly and faithfully Obſerve and Ex-
' ecute the Treaties and Alliances made between
' the King's Her Predeceſſors, and your High
' and Mighty Lordſhips; but that She is likewiſe
' ready to Renew and Confirm them: As alſo to
' concur with you in all the Meaſures which have
' been taken by the late King of Glorious Memory,
' in purſuance of the ſaid Alliances.

' Her Majeſty is likewiſe diſpos'd to enter into
' other ſtricter Alliances and Engagements, which
' ſhall moſt conduce to the Intereſts of both Na-
' tions, the Preſervation of the Liberty of *Europe*,
' and Reducing, within juſt Bounds, the Exorbitant
' Power of *France*.

' In the mean time Her Majeſty is ready from
' this Moment, and without any delay, to concur
' with your High and Mighty Lordſhips, and the
' other Allies to this end, with all her Forces, as well
' by Sea, as by Land.

' And Her Majeſty, to ſhew her Zeal the more,
' has been pleas'd to Authorize me to concert with
' your

'your High and Mighty Lordſhips, the neceſſary 'Operations.

'Theſe Motives oblig'd Her Majeſty to order me 'to depart with all Diligence, in order to come hi-'ther, and give your High and Mighty Lordſhips all 'poſſible aſſurances thereof, without ſtopping at the 'ordinary Formalities.

'And I look upon it as an extraordinary Hap-'pineſs, that her Majeſty has done me the Ho-'nour to employ me in this Commiſſion, ſince it 'gives me the Opportunity of expreſſing to your 'High and Mighty Lordſhips the Zeal I have for 'your Service.

This Speech was highly pleaſing to the States, to which Monſieur *Dickvelt*, Preſident of the Aſſembly, made Anſwer in the Name of the States, *That they cou'd not but expreſs Affliction for the Death of the late King; yet they Congratulated Her Majeſty's Happy Acceſſion to the Throne, returning their hearty Thanks for the Aſſurances of her Friendſhip; and were ready to concur with Her Majeſty in a Vigorous Proſecution of the common Intereſt.*

So that having ſettled ſeveral very Important Affairs with the Deputies of the States, and given his Advice for the intended Siege of *Keyſerſwaert*, and other Matters for opening the Campaign, the ſaid Earl return'd to *England* again the 5th of *April* following,

In the mean time, to break the growing Union between *England* and *Holland*, which was the only human Means left to diſappoint the *French* King's tow'ring deſigns, The *French* Reſident was not Idle to ſow all the little Seeds of Diſcord poſſible, and on the ſame day the Lord *Marlborough* had had his Audience, the Sieur *de Barre*, who was left at the *Hague* by Count *d'Avaux*, as Secretary of the Embaſſy, preſented a very Sly and Arrogant Memorial, to preſs them at this Critical Juncture to a Neutrality; but the *Dutch* being fired with Reſolution from her Majeſty's Aſſurances, (eſpecially

thoſe given them by her Embaſſador Extraordinary, the Earl of *Marlborough*) were ſo far from being aw'd by any ofthe Inſulting Menaces, contain'd in the ſaid Memorial, That they Order'd a Reſolute and Suitable Anſwer ſhou'd be given to it; in which they plainly ſhew'd their Reſentment, and left the *French* Reſident no room to doubt but that they intended to Engage in a moſt Speedy and Vigorous War: The Meaſures and Declaration of which, they had already agreed with the Earl of *Marlborough* before his Departure; and the neceſſary Preparations were making for it on all hands.

All this while, the Houſe of Commons, with great Zeal and Unanimity, purſu'd the Affairs recommended to their Conſideration, (*March* 14.) from the Throne, and Reſolv'd, *That a Supply ſhou'd be granted to Her Majeſty, for the better Support of Her Majeſty's Houſhold; and the Honour and Dignity of the Crown:* And three days after, they Voted farther, *That towards the ſaid Supply, the ſame Revenues which were Payable to his late Majeſty King* William, *during his Life, ſhou'd be Granted and Continu'd to Her preſent Majeſty during Her Life, from the Death of his late Majeſty.*

On the 19th following, the Commons paſs'd a Bill, for Taking, Examining and Stating the Publick Accounts of the Kingdom; and gave leave to bring in a Bill, *For Enabling Her Majeſty to appoint Commiſſioners to Treat of an Union between the Two Kingdoms of* England *and* Scotland. And quickly after, Mr. Speaker and the Members preſent, took the Oath directed in the Act made the ſame Seſſions; *For the farther Security of his Majeſty's Perſon* (*King* William) *and the Succeſſion of the Crown in the Proteſtant Line; and for extinguiſhing the hopes of the pretended Prince of* Wales. The ſaid Oath was taken the next and following days by other Members; but ſome of them ſcrupled to take it.

Upon the 30th of *March*, the Queen went to the Houſe of Lords, and gave her Royal Aſſent to the following Publick Bills; 1. *An Act for the better Sup-*

port

port of Her Majesty's Houshold, and of the Honour and Dignity of the Crown. 2. *An Act for Taking, Examining and Stating the Publick Accounts of the Kingdom.* 3. *An Act, for Explaining a Clause in one Act, made in the Seventh Year of his late Majesty,* Intituled, *An Act for the better Security of His Majesty's Royal Person and Government.* 4. *An Act for Reviving the Act, for Exempting Apothecaries from serving the Offices of Constables and Scavingers, and other Parish and Ward Offices; and from Serving upon Juries.* And 5. *An Act, For Continuing an Act made in the Eighth year of his late Majesty's Reign, For better preventing the Counterfeiting of the Current Coin of this Kingdom.* After which, Her Majesty made the following Speech to both Houses.

My Lords and Gentlemen,

'I Am very well pleas'd to have given my Assent 'to the Act for Stating the Publick Accounts: 'Nothing is more Reasonable, than to give the 'Kingdom the Satisfaction of having those great 'Sums Accounted for, which were Rais'd to carry on the late War; especially, when it is necessary for our own Safety, and the Support of 'our Allies to continue great Taxes.

Gentlemen of the House of Commons,

'I return you my kind and hearty Thanks for 'continuing to me for my Life, the same Revenue you had Granted to the King: I will take 'great care it shall be manag'd to the best advantage; and while my Subjects remain under 'the burthen of such great Taxes, I will streighten 'my self in my own Expences, rather than not 'contribute all I can to their Ease and Relief, with 'a just Regard to the Support of the Honour and 'Dignity of the Crown.

'It is probable the Revenue may fall very 'short of what it has formerly produc'd; However, I will give Directions that One Hundred 'Thousand Pounds be Applied to the Publick

'Service

' Service in this Year, out of the Revenue you ' have ſo unanimouſly given me.

My Lords and Gentlemen,

' The preſent Poſture of Affairs Abroad, as well ' as the Seaſon of the Year, obliges me to put you ' in mind of giving all poſſible Diſpatch to the Pub ' lick Buſineſs.

This Generous Speech ſo wonderfully Endear'd Her Majeſty to the Parliament, that the day following She was preſented with the following Humble Addreſs from the Houſe of Lorcs.

The Lords ADDRESS.

' WE Your Majeſty's moſt Dutiful and Loyal ' Subjects, the Lords Spiritual and Tem- ' poral in Parliament Aſſembled, do humbly beg ' leave to aſſure your Majeſty of the unſpeakable ' Satisfaction we received in the tender Care of ' your Subjects; which your Majeſty was pleas'd ' to Expreſs in your Majeſty's moſt Gracious ' Speech, eſpecially in deſiring thoſe great Sums ' Accounted for, which were Rais'd to carry on ' the late War.

' Your unparalell'd Goodneſs, in ſtreightning ' your ſelf for the Eaſe of your People, muſt ' needs make the deepeſt Impreſſion of Grati- ' tude in the Hearts of all your Subjects, and ' engage their utmoſt and moſt Faithful Endea- ' vours for your Majeſty's Service.

' Your Majeſty may be aſſured, That we ſhall ' apply our ſelves with the utmoſt Diligence, to ' the Diſpatch of what remains neceſſary to be ' done for the Support of your Majeſty and your ' Government.

To

To which ADDRESS Her Majeſty made this ſhort Reply.

My Lords,

'I Give you Thanks for your Addreſs: I need 'not tell you, that your Approbation of 'what I do, will always be a great ſatisfaction 'to me.

The next Day Her Majeſty receiv'd the Addreſs of the Houſe of Commons, little differing in Duty and Thankfulneſs from that of the Lords. To which Her Majeſty likewiſe Anſwer'd 'That 'it was a great Satisfaction to her, to find they 'were ſo well pleas'd with what ſhe had ſaid; 'and that ſhe wou'd be glad upon all Occaſions, 'to let them ſee ſhe deſired nothing ſo much as the 'Eaſe and Happineſs of her People.

Theſe mutual Aſſurances of Confidence and Affection being over, the Commons applied themſelves immediately to bring to Perfection the Bills for Raiſing the Supplies already Granted: On the 29th of *March*, Her Majeſty Iſſued out Her Royal Proclamation, touching the Solemnity of Her Coronation on the 23d of *April* following: And now Her Majeſty had a little leizure to give Audience to the Foreign Ambaſſadors, who having receiv'd new Letters of Credence from their reſpective Princes, had each a private Audience, to Condole in the Name of their Maſters, the Death of the late King; and to Congratulate Her Majeſty's Acceſſion to the Crown: The like Audience they had of his Royal Highneſs Prince *George* of *Denmark*.

After a long Debate in Council, Whether the late King *William*, ſhou'd be Publickly or Privately Buried? It was at laſt carried for the latter: And accordingly the Funeral Obſequies of that Monarch were perform'd on *Sunday* Night the 12th of *April*. The Royal Corps was Conveyed

veyed in an open Charriot from *Kenſington*, attended with a very large Train of Coaches, with the Servants of the Royal Family, the Judges, the Lords Spiritual and Temporal, and the Great Officers: The Pall was Supported by ſix Dukes; His Royal Highneſs Prince *George* was chief Mourner, Supported by two Dukes, and followed by Sixteen of the Earls of *England*, as Aſſiſtants; and after them the Gentlemen and Grooms of the Bed-Chamber. The Body was Depoſited in King *Henry* the 7th's Chapel, while the Service of the Church was perform'd; and afterwards Inter'd in the ſame Vault with King *Charles* the 2d, and the late Queen *Mary*, the Deceaſed King's Royal Conſort.

Soon after, Her Majeſty was pleas'd to Conſtitute the Duke of *Devonſhire*, Lord Steward of Her Houſhold; the Earl of *Jerſey* Lord Chamberlain; the Earl of *Bradford* Treaſurer; Sir *Edward Seymour* Comptroller; and *Peregrine Bertie* Eſq; Vice-Chamberlain. On the 17th of *April*, She likewiſe Declar'd Her Royal Conſort, the Prince of *Denmark*, Generaliſſimo of all Her Forces by Sea and Land, and appointed the Duke of *Ormond* Commander in Chief of her Land Forces to be Employed on Board the Fleet; and to fill up the Places of ſeveral Perſons ſtruck out of the Liſt of Privy Councellors, (particularly the Lords *Sommers* and *Hallifax*) The Marquiſs of *Normanby*, the Earl of *Abingdon*, Sir *John Leveſon Gower*, and *John How* Eſq; were by Her Majeſty's Command, Sworn of her Privy Council, and at the ſame time Her Majeſty Deliver'd the Privy Seal to the Marquiſs of *Normanby*; and the Seal of the Dutchy of *Lancaſter* to Sir *John Leveſon Gower*: Theſe things being ſettled, Her Majeſty was on the 23*d* of *April*, being St. *George*'s Day, Solemnly Crown'd at *Weſtminſter* by the Arch-Biſhop of *Canterbury*.

Whilſt theſe things paſs'd in *England*, the Dukes of *Hannover* and *Zell*, purſuant to the Mea-

Meaſures concerted with the late King *William*, made an Incurſion into the Principality of *Wolfembuttle*, in order to diſarm the Dukes of that Name, who, Brib'd by *French* Money, had rais'd conſiderable Forces in the Heart of the Empire, even againſt the Empire it ſelf: This ſucceeded ſo well, that after the Duke of *Hannover* had made himſelf Maſter of ſeveral ſtrong Holds, and block'd up *Wolfembuttle*, the Capital City of that Principality, He brought the two Brothers, *Rodolphus* and *Anthony* to Reaſon, though of different kinds; for the latter, whether out of a Principle of Honour, or Intereſt, not to forſake the *French* who had ſo well paid him, or out of a meer Obſtinacy, wou'd never conſent to break his Alliance: But the other, whether terrified with the Danger that threaten'd him; or Ambitious to have the ſole Government to himſelf, came to an Accomodation, to this effect: *That the Duke* Anthony *ſhou'd be excluded from the Regency, and* Rodolphus *ſhou'd take the Government into his own Hands, and quit his Engagement with* France: And ſo a dangerous Fire was ſtifled in time, which might have been of ill Conſequence at the opening of the War, which now drew on a-pace: For about the ſame time, the Town of *Keyſerſwaert*, which the Elector of *Cologne* had put into the Hands of the *French*, was Inveſted by the Emperor's Auxiliary Troops (belonging to the King of *Pruſſia*, the States of *Holland*, and the Elector *Palatine*) and the Siege of that Place committed to the Conduct of Prince *Naſſau Saarbruck*; whilſt Prince *Lewis* of *Baden* was aſſembling an Army on the *Rhine*, in order to cut off the Communication of *Landau* with *Strasburgh*, and the Country of *Alſace*: The effects of which Preparations for a Vigorous War, we ſhall come to hereafter.

The firſt Remarkable Occurrence at the Court of *England* after the Queens Coronation, was the Choice her Majeſty was pleas'd to make of the Earl

of

of *Nottingham*, and Sir *Charles Hedges*, to be Her Principal Secretaries of State, in the room of the Earl of *Manchester* and Mr. *Vernon*.

At the same time, it being mov'd in Council to declare War against *France* and *Spain*, Some of that Illustrious Assembly Represented the Inconconveniency of it; and that it wou'd be safer for *England* to Act in this Conjuncture only as Auxillaries: But the Dukes of *Somerset* and *Devonshire*, and the Earls of *Marlborough* and *Pembroke*, maintain'd, that it not only became the Honour of the Nation to make good the late King's Alliances, but that *France* cou'd never be reduc'd within due Bounds, unless the *English* enter'd as Principals into this Quarrel; which brought the Majority of the Board to be of their Opinion, and thereupon Her Majesty gave Directions for drawing up a Declaration of War: With which the Queen also acquainted the Commons, and received an Unanimous Address from the House, of their firm and Vigorous Resolutions to support her therein. So that Her Majesty immediatly order'd the said Declaration of War to be Solemnly Proclaim'd before the Gate of the Royal Palace, and elsewhere.

The next Day the Commons Presented an Address to Her Majesty, *returning the Thanks of that House for Her Majesty's great Zeal for the Succession of the Crown in the Protestant Line*; *express'd in* Her Majesty's late order in Council, directing the Princess *Sophia* to be Pray'd for: The Lords did also return their Humble Thanks for the same. On the 6th of *May*, Her Majesty was pleas'd to Constitute the Lord *Godolphin*, Lord High Treasurer of *England*; and the same Day Her Majesty being come to the House of Peers, She gave her Royal Assent to several Bills. Three Days after, the Commons having Addrest Her Majesty, *That She wou'd be graciously pleas'd to give Directions that such Commissions as shou'd be renewed to the Officers of Her Army, might be without Fee or Charge,*

Charge, Her Majeſty anſwer'd, *That She wou'd take Care therein.*

This Unanimous Harmony, and good Correſpondence between the Queen and both Houſes of Parliament, ſtrangely baffled the Hopes of the Diſſaffected Party, who look'd for nothing but Confuſion and Diſorder to follow the late King's Death, from which they vainly ſeem'd to have dated their Deliverance; and did not ſtick to ſpread Reports, that his ſaid late Majeſty had form'd Deſigns to exclude the Queen, and Advance to the Throne the Elector of *Hannover*, which they colour'd with the following Pretences: That the Troops of *Hannover* and *Zell* were to File off to the Sea Coaſts of *Holland*; That ſoon after the King's return, a ſham Inſurrection was to be excited in *Scotland* or *Ireland*, to give the King a favourable pretence to ſend for the *Hannoverian* Auxillaries over, with their Prince to Command them; and that ſeveral Peers, Privy to this Deſign, were to be made Lord Lieutenants of Counties, in order to influence the Election of Members for a new Parliament, who being thus pack'd up, wou'd eaſily Concur with any thing the King ſhou'd propoſe: This Sly and Malicious Report, juſtly provok'd ſeveral Peers, who retain'd a laſting Reſpect and Veneration for the late King's Memory (particularly, the Dukes of *Sommerſet*, *Devonſhire* and *Bolton*; the Earl of *Carliſle*, *Pembroke*, *Scarborough*, *Radnor*, *Mancheſter*; and the Lords *Sommers* and *Hallifax*) ſo that they ſtrictly complain'd of it to the Houſe of Lords; who taking the Matter into Conſideration, made the following Reſolution.

The Houſe being inform'd that there has been a Report ſpread abroad, that amongſt the late King's Papers, ſome Papers had been found tending to the prejudice of Her preſent Majeſty, or Her Succeſſion to the Crown; and the Lord Preſident, the Lord Steward, the Lord Chamberlain, the Earl of *Marlborough*, and the Earl of *Albe-*

Albemarle, who were the Persons appointed by Her Majesty to Inspect the said Papers, having at the desire of the House declar'd, That amongst the late King's Papers, they did not see or find any Paper in the least tending to the prejudice of Her Majesty, or Her Succession to the Crown, or to Her Prejudice in any Respect whatsoever, or which might give any Ground or Colour for such a Report: It is thereupon resolv'd by the Lords Spiritual and Temporal in Parliament Assembled, That the said Report is Groundless, False, Villainous and Scandalous, to the Dishonour of the late King's Memory, and highly tending to the Disservice of Her present Majesty.

And it is order'd by the Lords Spiritual and Temporal, that the matter of Fact aforesaid, and the Resolution of the House thereupon, be laid before Her Majesty by his Grace the Duke of *Bolton*, the Earl Marshal, the Earl of *Radnor*, the Earl of *Stamford*, the Earl of *Scarborough*, and the Lord *Ferrers*: And that they do humbly desire Her Majesty, that she will be pleas'd to give Order to Mr. Attorney General to Prosecute, with the utmost severity of Law, the Authors or Publishers of the abovemention'd Scandalous Reports.

Which Resolution of the Lords being so presented to Her Majesty, She answer'd, *That she was very ready to do any thing of this kind, and wou'd give Directions to Her Attorney General effectually, to prosecute the Authors or Publishers of such false Reports.*

Having thus Vindicated the Memory of King *William*, the next Application, both by the Lords and Commons, was the Business of the War; and that to carry it on with the greater Success, they humbly Addrest Her Majesty, *not only to consent to it her self, but to engage the Emperor, the States General, and all her other Allies to join with Her Majesty in Prohibiting all Intercourse of Letters, and Correspondence with the Subjects of* France,

France *and* Spain; to which Addreſs Her Majeſty aſſur'd them ſhe would comply: And now the Lords having made ſome Amendments to an Act paſs'd by the Commons, *for the Encouragement of Privateers*, and to which the Commons refuſing their Concurrence: The Lords thereupon preſented an Addreſs to the Queen; *Wherein they return'd their Humble Thanks for her Gracious Anſwer to the Addreſs of both Houſes, particularly, that ſhe wou'd not Omit any neceſſary Precautions for the Protection of Trade. And they likewiſe beg'd leave to Repreſent to Her Majeſty, that the Sea Preparations of Her Majeſty's Enemies, being ſuch, as ſeem'd not to be intended for Encountring and Fighting Her Royal Navy, but rather for making a Piratical War, to the Interruption of Commerce of the Subjects of Her Majeſty and her Allies; it was in their Opinion hugely requiſite for the Publick Service, that Her Majeſty wou'd be pleas'd to give all poſſible Encouragement to her Subjects to Arm out Privateers:* To which Her Majeſty anſwer'd, *That ſhe wou'd take all the Care ſhe cou'd.*

Two Days after, (the 25*th* of *May*) Her Majeſty went to the Houſe of Peers, and gave her Royal Aſſent to an Act, *for the preventing Frauds in the Duties upon Salt; and for better Payment of Debentures of the Cuſtom Houſe*, and to ſeveral other Acts paſs'd in that Seſſions, which done, ſhe made the following Speech to both Houſes.

My Lords and Gentlemen,

I Cannot conclude this Seſſions without repeating my Hearty Thanks to you, for the great Care of the Publick, and the many Marks you have given of your Duty and Affection to Me.

And I muſt thank you Gentlemen of the Houſe of Commons, in particular, both for the Supplies you have given to ſupport me in this Neceſſary War, and the Proviſions you have made for the Debts Contracted in the Former: Your great Juſtice in making good thoſe

Deficiencies, will make a lasting Honour and Credit to the Nation: I wish the Difficulties they have brought upon us, may be a warning to prevent such Inconveniences for the future.

I must Recommend to you all in the several Counties, the Preservation of the Publick Peace, and a due Execution of the Laws.

I shall always wish, that no difference of Opinion amongst those that are equally Affected to my Service, may be the occasion of Heats and Animosities among themselves. I shall be very Careful to maintain the Act of Tolleration, and to set the Minds of my People at Quiet; my own Principles must always keep me intirely firm to the Interests and Religion of the Church of England, *and will incline me to Countenance those who have the Trust and Zeal to support it.*

And then the Lord Keeper Prorogu'd the Parliament to the *7th* of *July* following.

Whilst these things past in *England*, the Siege of *Keyserswaert* was carried on by the Allies, with more Obstinacy than good Success, both by Reason of the Difficulties occasion'd by the Rainy Weather, and because the *French* had frequent opportunities to supply the Garrison with fresh Men and Provisions. On the other hand, the Earl of *Athlone*, with a small Army, consisting chiefly of *Dutch* Troops, lay encamp'd at *Clarenbeck*, between *Nimeguen* and *Cleve*, observing the *French* who lay at *Zanten*, under the Command of the Duke of *Burgundy* and Marshal *Boufflers*; whilst Count *Tallard* with a Flying Camp, posted himself on the other side of the *Rhine* over against the Camp before *Keyserswaert*; from whence he very much incommoded the Quarters of the *Prussians*.

At the same time General *Coehorn*, being sent with a Body of Ten Thousand Men into *Flanders*, to demolish the Lines between the Two Forts, St. *Donat* and *Isabella*, was so Successful in his Enterprise, that after he had taken *Middleburgh*,

a

a ſmall Town in the *Spaniſh* Territories, which the *French* had begun to fortify, and made himſelf Maſter of Fort St. *Donat*, in a few days he levell'd thoſe Lines which the Enemies had been raiſing many Months with great Labour and Expence; and laid the greateſt part of the *Chaſtelanie* of *Bruges* under Contribution to the Confederates. As for Prince *Lewis* of *Baden*, he was concerting Meaſures for the Siege of *Landau*, which he kept in a manner block'd up. But Prince *Eugene* being diſappointed of the Reinforcements the Court of *Vienna* had promis'd him, and he ſo much wanted, his Highneſs was forc'd to raiſe the Blockade of *Mantua*, and to abandon ſeveral Poſts to the numerous Forces of *France*, headed by the Duke of *Vendoſme*. This was the State of Affairs abroad, when the Earl of *Marlborough* arriv'd at the *Hague*.

By this time the Allies before *Keyſerſwaert*, having reduc'd that Town wholly to Aſhes, and batter'd the Out-works with Forty Eight great Guns, and Thirty Mortars, reſolv'd to make a general Attack upon the Counterſcarp and Ravelin, which they put in Execution on the 9th of *June*, N. S. The Conflict was obſtinate on both ſides, ſo that nothing was to be ſeen for two Hours together, but Fire and Smoak; Nevertheleſs, the beſieg'd were at length conſtrained to give ground, and leave the Aſſaillants Maſters of the Counterſcarp and Ravelin, upon which they immediately lodg'd themſelves. The Prince of *Naſſau Saarbrug* gave his Orders every where with great Contempt of the Danger, and admirable Preſence of Mind, and both Officers and Soldiers behav'd themſelves with Unparallell'd Bravery; nor did ſome Voluntiers come behind them, and in particular, Hiſtory ought to mention with Praiſe, the Earl of *Huntington*, who, on this occaſion, did eminently ſignalize his Valour, and receiv'd a dangerous Wound. This Action coſt the Lives of many Gallant Men on

both ſides. The *Pruſſians* loſt a Colonel, one Major, and four Lieutenants; had three Colonels, one Major, and three other Officers Wounded; and by the Liſt it appeared, that the *Hollanders* and *Pruſſians* had 1902 Men wounded, and 680 kill'd. Count *Tallard* being inform'd of this Advantage gain'd by the Allies, and ſuppoſing he could do the Town no further Service, broke up his Camp, and haſten'd to joyn the Duke of *Burgundy*, and Marſhal *Boufflers*, who, as the *French* boaſted, would e'er long, make *Un Grand Coup d' eclat*.

Marſhal *Boufflers* being before Reinforc'd by ſeveral numerous Detachments, and particularly by the Troops of the *French* King's Houſhold, decamp'd from *Zanten* without Sound of Trumpet, or Beat of Drum, and ſetting forward on the 10th of *June*, (N. S.) by Eight a Clock in the Morning, took his March through the Plains of *Goch*, ſeeming to encline toward the *Mockerhide*, cloſe by *Nimeguen*, as if he had form'd a deſign to get between the Confederate Army, (under the Command of the Earl of *Athlone*) and *Nimeguen*, and by that means to cut them off from their Proviſion, Ammunition and Forrage, which would have very much expos'd both that City, and ſeveral other Neighbouring Towns. The Earl of *Athlone* having timely notice of the Enemies Motion, and rightly Conjecturing what they aim'd at, call'd thereupon a Council of the General Officers, wherein it was unanimouſly reſolv'd, That the Confederates ſhould begin their March about Eight the ſame Evening, in the following Order: The Baggage was ſent away to *Nimeguen*, leaving *Cranenburgh* on the Right; and four Batallions were detach'd to *Grave*; the firſt Line march'd in one Colmn, between the Woods, at the Head of the Confederate Camp, at *Cranenburgh*, in which Woods the *French* had by that time poſted a numerous Body of Foot and Dragoons, while the ſecond Line march'd between the firſt Line and *Cranenburgh*, having

leaving the Town on the Right Hand. The Prince of *Wirtemberg* was detach'd with a great Body of Horſe upon the Left of the Confederates March, and Colonel *Frederick Hamilton* with three Batallions of *Engliſh*, under the Lord *Cutts*, was likewiſe detach'd, to ſecure the Prince's Retreat, and to take care of the High way of *Norgina*, by which the Enemy might otherwiſe have eaſily fallen upon the Allies in their March, which two Detachments both rejoin'd the Earl upon his entrance into the *Mockerhyde*. About break of day the Earl made a Halt, and receiving further Intelligence of the Enemy, it was reſolv'd the Cavalry ſhould be drawn up in order of Battle, to cover the March of the Infantry, which, at the ſame time, was directed to keep along the riſing Grounds, making Halts, and putting themſelves in Battle Array, from time to time, as the Generals that led them ſhould think fit, and keeping always in ſight of the Horſe, that they might be ready to ſupport them, if they ſhould be Attack'd. About Eleven in the Morning, the Foot had gain'd the Narrow Paſſes, and lined the Hedges, and the *French* Horſe advancing in great numbers, with the Troops of the Houſhold at the Head, preſs'd hard upon the Earl, who was at the Head of the Horſe: However, he made his Retreat in good Order, paſſing thro' the Lane, along which the Foot were poſted, and keeping at the ſame time, as broad a Front as the Ground would permit. In the mean time, a conſiderable Body of Horſe was order'd to the Riſing Ground on the Right hand; whereupon the Troops of the *French* King's Houſhold charging ſome of the *Dutch* Squadrons, juſt as they were Wheeling, in purſuance of their Orders, puſh'd them upon the Foot, and put two or three Batallions into Confuſion; but by the Conduct of the General Officers, no farther Miſchief enſued, and the Enemy were ſoon repuls'd. On the other ſide there hapned a rude Encounter between ſome of the Squadrons of the *French* Houſhold, and ſome *Daniſh* Horſe, and ſome of the Earl's Carabineers, who ſo vigorouſly

maintain'd their Ground, that the *French* were beaten back, though with equal Loſs: Both Parties having charg'd hand to hand without firing. By this time the Confederates were got under the Cannon of *Nimeguen*, which ſoon after begun to play upon the Enemy; and the *Engliſh*, who had the Honour to cloſe the Retreat, maintain'd their Poſt in excellent Order, being aſſiſted by the Prince of *Wirtemberg*, who put a ſtop to the Troops of the Houſhold, which were advanc'd very near them, and preparing to Charge them towards the end of their March. Twenty Batallions of Foot were thereupon poſted in the Out-works of *Nimeguen*, and the whole Army was under Arms all that Night, as the Enemy were likewiſe. The next Morning a great Body of *French* Horſe and Foot advanc'd towards the Allies, as if they intended to Attack them; but this they did only to cover the March of their own Army, that Filed off towards *Cleves*, venting their Rage at their Diſappointment, upon the Defenceleſs Country, which they rifled and laid waſte. Thus was the important place of *Nimeguen*, (which if taken would have afforded the *French* an Opportunity to penetrate into the very Heart of the United Provinces) almoſt miraculouſly preſerv'd, being but in an ill Condition, and the Enemy miſſing but half an hour of arriving in the Out-works before the Earl of *Athlone*. The Burghers ſeeing their eminent Danger, did Wonders upon this occaſion, it being they themſelves, who at the firſt approach of the Enemy, broke open the Doors of the Arſenal, and bringing out the Cannon, haul'd the ſame without Horſes, and planted them upon the Ramparts and Out-works; ſo that in a little time they fired upon the Enemy with 160 Pieces.

By this time the Allies before *Keyſerſwaert*, having reſolv'd upon a general Aſſault, and prepar'd all Things for the ſame, the *French* thought fit to agree upon Articles for the Surrender of the Place, of which the chief were, *That the Fortifications ſhould be levell'd with the Ground; That the Garriſon ſhould*

march

march out with all the uſual Marks of Honour, carrying along with them ſix Pieces of Cannon, and four Mortars; That all Acts of Hoſtility ſhould ceaſe within the Electorate of Cologn, *till the entire Evacuation of the Place; That the* Burghers *ſhould be maintain'd in their Priviledges, and in the Exerciſe of the* Roman Catholick *Religion; And that ſeveral* German *Officers, particularly mention'd, belonging to the Elector of* Cologn, *ſhou'd have Liberty to depart with their Families; with this* Proviſo, *That this ſhould be no Precedent for others of the ſame Nation in the ſaid Elector's Service.* In purſuance of this Capitulation, the Fort of *Keyſerſwaert* was ſurreundred, and the Garriſon march'd out upon the 17th: And thus a conſiderable Body of the Confederate Army being at Liberty, one Part was order'd to Reinforce the Earl of *Athlone*, and the reſt were poſted in other Places, to refreſh themſelves after the Fatigues of Two Months Siege, *Keyſerſwaert* having been firſt inveſted on the 16th of *April*.

This was the State of the Campaign when the E. of *Marlb.* ſet out for the Army; beſides, that the States General had ſent Orders to all their Generals, and other Officers to obey him; creating him Generaliſſimo of all their Forces. Which piece of Prudence was highly applauded; for as no Perſon was better qualified for the ſupream Command, ſo nothing cou'd more endear the Queen of *England* than the Additional Honour beſtow'd on the General of her Forces. His Excellency having had ſeveral Conferrences with the Deputies of the States, and preſented a Memorial to the States General, deſiring they wou'd prohibit all Intercourſe and Correſpondence, by Letters, or otherwiſe, with *France* and *Spain*: He left the *Hague* on the 30th of *June*, (N. S.) and on the 2d of *July* arriv'd at *Nimeguen*, where the Earl of *Athlone*, General *Dopff*, and the other Principal Officers paid him the uſual Compliment; and that no time might be loſt, His Excellency at that Interview, gave the neceſſary Orders for drawing together the

Army; ſo thatNineteen Batallions of the Troops employ'd in the Siege of *Keyſerſwaert*, with the Troops of *Heſſe*, and *Lunenburgh*, and the *Engliſh* Forces from *Breda*, under Major General *Lumley*, and other Troops, were haſten'd from all parts toward *Nimeguen*, in order to form a Camp at *Duckemburgh*; where his Grace being arriv'd, he call'd a Council of War, conſiſting of all the General Officers, to concert the further Operations of the Campaign; and on the 16th, the Troops being moſt come up, his Grace Marched the Army over the *Maeſe*, and pitch'd his Camp at *Over-Aſſelt*, near the *Grave*, within two Leagues and a half of the Enemy, who had entrench'd themſelves between *Goch* and *Gennep*. The great Expectations of a Glorious Campaign had drawn abundance of Voluntiers to attend the Earl, among which was Prince *Earneſt Auguſtus*, youngeſt Brother to the Elector of *Hanover*, who being deſirous to learn the Trade of War under the *Engliſh* General, the Earl declar'd his Highneſs Major General of the Army, and at the ſame time appointed Colonel *Withers*, Colonel *Stanley*, and Colonel *Frederick Hamilton*, Brigadiers of Three *Engliſh* Brigades. On the 26th the Earl repaſt the *Maeſe* below the *Grave*, and on the 28th encampt at *Geldorp*, which Motion oblig'd the *French* to paſs the ſame River about *Venlo*; wherefore the Earl decamp'd again from *Geldorp* to *Grevenbroek*, where finding a *French* Garriſon in the Caſtle, ſeated in a Moraſs, and ſurrounded with a double Ditch and good Paliſadoes, the Earl order'd it to be Attack'd, and after ſome Reſiſtance, it was forc'd to ſurrender at Diſcretion. From hence on the 2d of *Auguſt* (N. S.) the Earl advanc'd to *Petit Brugel*, following the *French* ſo cloſe, that the latter were oblig'd to quit the *Spaniſh Guelderland*. Thus the Confederates, who were lately forc'd to Retreat under the Cannon of *Nimeguen*, had now the Pleaſure to ſee the Enemy fly in their turn; and the States of the United Provinces, to ſee their Country preſerv'd by the Prudence and Vigilance

gilance of an *Engliſh* Leader. Whilſt the Duke of *Burgundy*, who was generally reported to come to the Army to be taught how to Fight, learn'd nothing from Marſhal *Boufflers*, but how to avoid an Engagement, which the Earl not being able to bring the *French* to on any reaſonable Advantage, and the Deputies of the States General, who follow'd the Army, repreſenting, that 'twas more for the Advantage of *Holland*, to diſpoſſeſs the Enemy of the Places they held in *Spaniſh Guelderland*, whereby the free Navigation on the *Maeſe* was interrupted, and the Important Town of *Maeſtrich* in a manner Block'd up; wherefore the Earl gave immediate Orders for the Siege of *Venlo*: In the mean time the Earl having Detach'd General *Schultz*, to take in the Town and Caſtle of *Werts*, which Capitulated after a ſhort Reſiſtance; he broke up with the Confederate Army from *Everbeck*, and march'd directly to *Holſtein*, in order to force the *French* to quit their Camp at *Bergeick*, or cut off their Convoys; when the Army came to their Ground, the Enemy appear'd in Battle Array behind ſeveral Moraſſes and Defiles, whereupon the Earl advanc'd againſt them; but not being able to Engage them without a manifeſt diſadvantage by the badneſs of the Ground and Moraſs that lay between 'em; after having Cannonaded each other all day, the Armies parted, and the Earl on the 29*th* of *Auguſt* following, Decamp'd from thence, and March'd to *Aſch*. The ſame Day the Town of *Venlo* was Inveſted by Monſieur *Opdam*, with a Detatchment of *Engliſh* and *Dutch* on the one ſide of the *Maeſe*, and by the *Margrave* of *Brandenburgh*, Brother to the King of *Pruſſia*, with the *Pruſſian* Forces on the other ſide. Upon which the Duke of *Burgundy* return'd to *Paris*, to avoid being Witneſs of the taking that Place.

The 7*th* of *September* the Trenches were open'd on both ſides the *Maeſe*, without any Loſs, the Confederates having caſt up ſuch Works, as did almoſt cover them, before they were perceiv'd by the

the Enemy. On the 8*th* a Body of *Munſterians* Reinforc'd the Beſiegers, and the following day the Attacks were vigourouſly carried on. But the moſt memorable Action that hapned during this Siege, was perform'd by the Lord *Cutts*, after this manner. On the 18*th* his Lordſhip was Commanded to attack Fort St. *Michael*, between the Baſtion that is next the Plain, and the Ravelin that lies on the North ſide of it, having under his Command Brigadier General *Hamilton* with the Royal Regiment of *Ireland*, and General *Hukelem*'s Regiment, a Hundred Seventy Two Grenadiers, and a Hundred Fuſiliers, moſt *Engliſh*, under a Lieutenant Colonel; as alſo Three Hundred Workmen, with a Competent number of Engineers under Colonel *Blood*. His Lordſhip's Orders were to make a Lodgment from the Point of the Ravelin to the Baſtion, leaving him at Liberty to proceed farther, if he found it practicable; And, at the ſame time, the Prince of *Anhalt*, with the ſame number of Troops, was to make an Attack between the Baſtion and the Ravelin, on the North ſide, with the like diſcretionary Orders, either to lodge himſelf, or to advance as he ſhould ſee occaſion. The Signal for both Attacks, which was to be the blowing up a Tun of Powder, and the Diſcharge of all the Batteries of the Beſiegers, both Cannon and Mortars, was accordingly made a little before Six in the Evening.

The Lord *Cutts* had given Orders, on his Attack, to the Officers that led the Grenadiers, firſt, to clear the cover'd Way of the Enemy; and if they ſaw it practicable when that was done, to Attack the Ravelin Sword in Hand; aſſuring them, in the hearing of all the Grenadiers, That as ſoon as he ſaw fifty of the latter upon the Top of the Ravelin, he would Sacrifice himſelf, and his Troops, rather than not ſuſtain them; And that therefore they might go on with undauntedneſs, if they found it poſſible to paſs, his Lordſhip alſo heighten'd their Courage and Alacrity, by promiſing Rewards, in Her Majeſty's Name, to all ſuch who ſhould ſignalize them-

themſelves. His Lordſhip's Orders were Executed with inexpreſſible Vigour and Chearfulneſs, and as ſoon as the Grenadiers, whom his Lordſhip with diſtinguiſh'd Intrepidity, and admirable Preſence of Mind, ſuſtain'd with freſh Numbers, had clear'd the Counterſcarp with their Fire, and avoided a Mine which was unſucceſsfully ſprung by the Enemy; they boldly attack'd the Ravelin with Sword in Hand, encouraging and aſſiſting one another, upon the aſſurance of being ſeconded; which the Lord *Cutts* perceiving, he march'd with all his Forces, engag'd the Enemy, and was ſoon Maſter of the Ravelin. The *French* then made a great fire upon the *Engliſh*, from the Rampart of the Fort, whereupon the Lord *Cutts* ſent Orders to the Officers that were at the head of the Grenadiers, to throw in their Granadoes, and to attack the Fort Sword in hand, if it were poſſible to find a Paſſage; which they did, by charging and following the Enemy ſo cloſe, that they had not time to break the Bridge, though it was hotly diſputed by Fire and puſh of Pike, and eſpecially by the Enemies Grenadiers, from the Flank of one of their Baſtions. But the Bravery of the *Engliſh* Grenadiers, by the Example of their Officers, and ſome Voluntiers of diſtinction, as the Earl of *Huntington*, my Lord *Lorn*, my Lord *Marckar*, the Prince *D' Auvergne*, Sir *Richard Temple*, Colonel *Webb*, and Mr. *Dalrimple*; ſome of them attack'd the Bridge, and ſome clamber'd up the Ramparts, after having thrown in their Granadoes, and forc'd their way into the Fort. The Enemy continued to defend themſelves, till the *Engliſh* pour'd in ſo faſt upon them, that they were no longer able to reſiſt; which as ſoon as the Lord *Cutts* perceiv'd, he check'd the Fury of the Soldiers, and put a ſtop to the Slaughter. The *Engliſh* took about Two Hundred Priſoners, whereof Thirty were Officers, with a Brigadier General, and the Governor; but all the reſt that were in the Fort, to the number of Six Hundred, were either killed or drowned, endeavouring to eſcape

excep'.

except Twelve, who happily pass'd the *Maese* in small Boats.

When the Lord *Cutts* found himself entirely in Possession of the Forts, having left Four Hundred Men in the Out-works, he posted a Guard at the great Port towards the Town, and a small Guard at each Sally-Port, seiz'd the Magazines, sent out a Hundred Grenadiers to discover, on the side of the *Maese*, if any of the Enemy were there, drew up the rest of his Troops upon the Rampart towards the Town, turn'd the Enemies Cannon upon them, made a discharge to give notice to the Camp that all was well, and continued under Arms all Night.

Of the *English* in this Action, two Captains were Wounded; two Lieutenants, and one Ensign kill'd, and three Wounded; one Serjeant kill'd, and three Wounded; a Hundred and Thirty Men kill'd, and a Hundred and Thirty Two Wounded; and the Lord *Cutt*'s Aid de Camp, Captain *Bolas*, with Mr. *Eley* an *English* Voluntier, kill'd on the spot. The Loss of the *Dutch* was no less than that of the *English*.

Never was more Bravery shew'd than upon this occasion, by all, both Officers and Soldiers, of the respective Nations under his Lordship's Command, but especially the *English*. Among the rest, the Prince of *Hanover*, a Voluntier at this Siege, who pass'd the Night before the Attack in the Trenches with the Lord *Cutts*, behav'd himself with a great deal of Gallantry, and staid most of the Night with his Lordship in the Fort. Colonel *Blood*, who acted as first Ingenier under General *Coehorn*, and was to have made the Lodgment, when he saw that the Lord *Cutts* had quitted that design, shew'd the part of a brave Officer, Charging with the Men Sword in hand, and Killing an Officer of the Enemies Grenadiers, who made a vigorous Opposition with his Party; And Monsieur *de la Martinerie*, a *French* Protestant Ingenier, lately sent from *England* by his Royal Highness, was also very serviceable in this

this Action, as well by his Bravery, as Skill: For 'twas partly through his Advice, that the Lord *Cutts* resolv'd to make himself Master of the Fort; Mr. *de la Martinerie* rightly Conjecturing, that if the Enemy made a vigorous resistance at the Ravelin, and were beaten off, as indeed they were, they would be so tir'd, as not to be able to hold out long in the Fort: Which happen'd accordingly.

Whilst this was doing upon the Lord *Cutt*'s Attack, the Prince of *Anhalt* behav'd himself with Gallantry suitable to his Birth, and his Troops encourag'd by his Example, Attack'd the Enemy with all imaginable Vigour, carrying the Ravelin, on their side, Sword in hand; but the *French* having broke the Bridge between that Ravelin and the Fort, though some of the *Prussians* leap'd into the Ditch and Swam over, it was impossible for the rest of their Troops to pass.

The Besiegers employ'd the Four following days in firing furiously from their Batteries upon the Walls of the Town, in order to widen the Breaches; and all other necessary Preparations were made for a general Assault, to which the Soldiers shew'd an eager desire. On the 23d, the Confederates express'd their Joy for the News of the taking of *Landau*, with the discharge of all their Cannon and small Arms, which the Besieged, as 'twas reported, taking to be a Signal for an approaching Storm upon the Town, (because the Attack of Fort St. *Michael*, which had very much intimidated their Garrison, had begun in the same manner) they immediately beat a Parley, surrendred the Place on the 25th, and pursuant to the Capitulation, were Conducted to *Antwerp* with their Arms and Baggage, but without any Cannon and Mortars, which they at first insisted upon, and which the Prince of *Nassau Saarbruck* would never allow them.

The E. of *Marlb.* having receiv'd Express of the Surrender of *Venlo*, resolv'd to push his Conquests on to the uttermost, and to make the best of the Season while it lasted, considering the *French* were resolv'd to be

be ſo ſecure from a Battle, as not to venture within the hearing of the Towns that were taken, as alſo that 'twas the latter end of *September* when *Venlo* ſurrender'd; ſo that he order'd the *Engliſh*, *Dutch*, and *Pruſſians*, employ'd againſt that Place, to March immediately and Inveſt *Ruremond*, the ſecond City of *Guelderland*; where they arriv'd the 29th of *September*, and the next Day regulated their Camp as well as the Ground and the River *Roer* wou'd permit; and having open'd the Trenches, and Firing furiouſly upon the Place, the Garriſon thought fit to Capitulate on the 6th of *October* (N. S.) The Articles were much upon the ſame Foot with thoſe of *Venlo*, and the Garriſon was conducted to *Lavonia*.

During this Siege, *Stevenſwaert*, a fortified Town, ſeated on the *Maeſe*, about Five Miles from *Ruremond*, to the South, was alſo vigorouſly Attack'd and Taken by Capitulation.

Theſe Succeſſes made the Marſhal *Boufflers* look about him, not knowing where the Earl might poſſibly advance next to make new Conqueſts, but had a violent ſuſpition that his Eyes were fix'd on *Liege*, which he juſtly apprehended to be in no ſmall danger; therefore being accompanied by the Duke of *Maine*, and taking with him ſome Ingeniers, he went to view the Fortifications of the Citadel, and after that, of all the moſt conſiderable Poſts between that City and *Maeſtrich*, as if he intended to Encamp there, where poſſibly the Earl wou'd have been glad to have found him; but the Marſhal cool'd upon the Matter, and thought fit to Retreat upon the Motion of the Earl's Army, with great Precipitation, toward *Brabant*, to defend ſuch Places as were never deſign'd to be Attack'd.

The Deputies of the States thought by this time they had made a good hand of the Campaign, and were contented to ſit down as they were, without expoſing the Troops to a tedious March, and the hazzard of a Battle ſo late in the Year; but the Earl, who knew he had nothing to fear from either

either of these Reasons, as well as that the taking of *Liege* wou'd very much secure and strengthen his Conquests, and highly add to the Reputation of the Confederate Arms, resolv'd to give one finishing stroke to the Campaign; and by an extraordinary March from his Camp at *Sontendale*, on the 11th of *October* (N. S) he arriv'd the next Day before *Liege*, where he found the Suburb of St. *Walburgh* set on Fire by the *French* Garrison, who afterward retired, one part into the Citadel, and 'tother in the *Chatreuse*; the same Evening the Chapiter and Magestracy sent Commissioners to him, desiring to Treat of the surrender of the Town; which being readily granted, the next day Articles were sign'd on both sides; in pursuance of which Agreement, one of the Gates of the City was deliver'd up to the Confederates that Night, and the next Day they took possession of the whole Town.

Six days after, the Trenches were open'd before the great Citadel, by Four *English* Batallions on the Right, and the like number of the *Dutch* on the Left; and the same Evening the Allies attack'd an Entrenchment of the Enemy, which occasioned a great Fire on both sides; but at length the *French* were beaten off, and having attempted to regain that Post, they were repuls'd with considerable Loss. The 21st the Besiegers continued to Cannonade the Citadel more furiously than the Day before, and dismounted all the Enemies Batteries, except two Pieces of Cannon and two Mortars. The same Evening the Confederates began to throw some Bombs into the Place, and thereby set on Fire one of the Enemies Magazines, wherein were six Thousand Granadoes ready loaded, and a great quantity of Powder, which was blown up with a most dreadful Noise. That Night the Attack was successfully carried on, notwithstanding the *French* made a shew to fall upon the Besiegers, who made so thick a Fire upon them, that they could not effect that Design. The 22d the Besiegers Batteries, which were now more

more numerous, continued to batter the Citadel, and their Bombs ſet two other Magazines on Fire. The ſame Evening their ſmall Mortars for Granadoes (an Invention aſcrib'd to Mr. *Coehorn*) being ready, all their Batteries began to play with ſo much Order, Diſpatch and Succeſs, that the like was never ſeen. The 23d Mr. *de Coehorn* perceiving that the Batteries had made a ſufficient Breach, reſolv'd to Attack the Counterſcarp that Evening; And accordingly four Batallions, with a Detachment of five Hundred Grenadiers on the Right, Commanded by Lieutenant General *Sommersfelt*, and the like Number on the Left, headed by Lieutenant General *Fagel*, were appointed for that Attack, which began a little before Four a Clock in the Afternoon: The Cannon and Mortars having play'd till that time with ſo good ſucceſs, that four other Magazines were blown up. The Signal being given, the Confederates advanced boldly and unconcern'd towards the Enemy, with great Order, and without firing a Gun, though ſufficiently provok'd by their thick ſhooting; and they attack'd the Counterſcarp with ſuch fury, that the *French* could not defend that Poſt, and abandon'd the ſame; but the Allies, inſtead of Lodging themſelves thereon, got into the cover'd Way, paſs'd the Ditch, mounted the Breach, and took the Place by dint of Sword. Mr. *de Violaine* the Governour, who five days before, upon a Summons to Surrender, ſent the Earl of *Marlborough* Word, that it would be time enough to think of that ſix Weeks hence, was ſo ſurpriz'd at this vigorous Atttack, that he immediately beat a Parley: But the Victorious Allies being already in the Place, would not hearken to it, and had kill'd all they met, if the *French* had not thrown down their Arms, and begg'd Quarter, which they obtain'd. All the Troops, and particularly the *Engliſh*, behav'd themſelves to Admiration, and beſides Honour, got a very conſiderable Booty, for, in the Caſh of Treaſure alone, there were 300000 Florins in Gold and Silver, and

Notes

Notes for 1200000 Florins upon Substantial Merchants at *Liege*, which were as good as Money. Among the rest, the extraordinary Bravery of the Hereditary Prince of *Hesse Cassel*, deserves to be Recorded; for his Highness went Volunteer in the Attack, at the head of the Grenadiers, and mounting the Breach the very first, snatch'd the Colours from a *French* Officer. The Loss of the *English*, (besides Mr. *Wentworth*, Brother to the Lord *Raby*, and formerly Page to King *William*, who went Volunteer in the said Attack) was one Lieutenant Colonel, one Major, three Captains, and Six Subalterns slain; Twenty Four Officers wounded, one Hundred forty three private Soldiers kill'd, and three Hundred sixty wounded. What the Enemy lost was computed at double that Number; over and above which, the Governour and the Duke of *Charost*, with the Remainder of Eight Battalions, whereof three were *French*, were made Prisoners at Discretion. The Cittadel being thus taken after a Fight of about three quarters of an Hour, the Confederate Victory was soon after compleated by the Surrender of the *Chartreuse*, which they would have attack'd two days sooner, had not the Stormy Weather, on the 26th and 27th disorder'd their Bridge of Boats. On the 29th about Ten in the Morning their Mortars began to play, which having set most part of the Buildings in Flames, and about two in the afternoon the Besiegers Cannon having begun to batter the Place, the Garrison presently desir'd to Capitulate; whereupon Hostages being exchang'd, it was agreed that one of the Gates should be deliver'd to the Confederates in the Morning, and that the Garrison, which insisted to go directly to *Namur*, should march out the 31st in the Evening, with their Arms, Colours flying, Drums beating, and two small Pieces of Cannon, and be Conducted by *Tongres*, *Vogelsanck* and *Herental*, to *Antwerp*.

So soon as the Confederates were thus become Masters of the City of *Liege*, and the Cittadel, his

Excellency the Earl of *Marlborough*, wrote the following Letter to the States.

High and Mighty Lords,

I *Write to Congratulate your High and Mighty Lordſhips upon the Happy Succeſs of the Allies, who, notwithſtanding the great number of the Soldiers in the Garriſon, have taken the Cittadel this Evening, by Aſſault, with the greateſt Gallantry imaginable, and made the Governour, and thoſe who remained, Priſoners at Diſcretion. Monſieur* de Coehorn *is going this Moment to give Orders for carrying the Cannon on the other ſide in order to attack the* Chartreuſe, *and make uſe of this good Weather while it laſts. I cannot yet give your High and Mightineſſes the particulars of this Glorious Action, being not willing to ſtay the Courier, who is going to you with this News, longer than only to aſſure you, that I am, with the greateſt Reſpect,*

High and Mighty Lords,
Your moſt humble and
Moſt Obedient Servant,

At the Camp
Oct. 23. 1702. MARLBOROUGH.

To which the States return'd the following Anſwer.

My LORD,

W *E believe it would be ſuperfluous to tell your Excellency, that the good News which you have been pleaſed to ſend us in your Letter of the* 23*d Inſtant, was agreeable to us, ſince an Action ſo well laid, ſo Vigorouſly Executed, and attended with that Good and Glorious Succeſs, cannot but be ſo in the higheſt Degree; we likewiſe, on our part, Congratulate with you, ſince this great Action adds no leſs to the Glory of your Excellency, and to the Reputation of the Arms of the Allies, under your Prudent Conduct, than it is Advantageous to the Common Cauſe, and to our State in particular. We wiſh your Excel-*

Excellency the ſame good Succeſs before the Char-treuſe, *and in all your Enterprizes; and we deſire you will believe, that we are truly,*

Your Excellency's
Moſt affectionate to ſerve you
The States General of the
United Provinces of the
Low Countries.

At the *Hague*,
Oct. 26. 1702.

On the 3d of *November* (N. S.) the Confederate Army ſeperated near *Liege*, and the Earl of *Marlborough* came the ſame Day to *Maeſtricht*, where he embarked that Evening on the *Maeſe* for *Holland*, in Company with Monſieur *Geldermanſel*, one of the Deputies of the States, and Monſieur *d' Opdam* General of Horſe, taking on Board with them Twenty five Soldiers under the Command of a Lieutenant, to ſerve as a Convoy. The next Morning their Excellencies came to *Ruremond*, where they join'd Monſieur *Coehorn*, and having Dined with the Prince of *Holſtein Beck*, Commander of that Garriſon, continued their Voyage together, having order'd a Party of Fifty Horſe (beſides Sixty Men that were in Monſieur *Coehorn*'s Boat) for their better Security, againſt any of the Enemies Parties. About ſeven a Clock that Evening their Excellencies came to *Venlo*, where the Party of Horſe being relieved by a like number of that Garriſon, they purſued their Journey; but the Boats being ſeparated in the Night, and the Horſe marched to ſome Diſtance from the River ſide, between Eleven and Twelve at Night, a Party of Thirty five Men of the Garriſon of *Gelder*, who lay skulking on the Banks, near three Leagues on this ſide *Venlo*, having by Surprize ſeized the Rope with which the Boat was drawn, and hauled it to Shore, they immediately made a Diſcharge of their ſmall Arms upon the Boat wherein their Excellencies were; and then threw in ſeveral Granadoes, with which ſome of their People were

wounded, the Party enter'd and ſeized the Boat, and having examin'd the ſeveral Paſſports, without knowing my Lord *Marlborough*, they afterwards ſearched the Trunks and Baggage, from whence they took what Plate they could find, and made their Excellencies Guard of Foot, Priſoners, and about five in the Morning retired with their Booty, leaving their Excellencies to continue their Voyage.

The Governour of *Venlo* having ſoon notice of their Excellencies being taken, marched out with his whole Garriſon by break of Day, to inveſt *Gelder*, and immediately ſent an Expreſs to the States; which arriving on the 6th at Night, they aſſembled upon it the next Morning, and all the People at the *Hague* were in the greateſt Conſternation imaginable, till the Arrival of his Excellency that Evening. Whereupon the Streets were ſo crouded, that it was with much Difficulty that his Excellency paſſed to his Houſe, and all poſſible Demonſtrations of Joy were ſhewn by all Ranks of People for his Excellency's Eſcape and ſafe Arrival.

Whilſt theſe things paſt in *Flanders* and the *Lower Rhine*, Prince *Lewis* of *Baden*, who had drawn his Army together near *Langenaudel*, march'd from thence the 16th, and poſted his Army before *Landau*; the Siege of which place was not carried on with any extraordinary Vigour, for by the overflowing of the Rivers, and other Impediments, it was the 2d of *July* before the heavy Cannon was plac'd on the Batteries, and a very ſmall progreſs was made by the 28th. when the King of the *Romans* arrived in the Camp; who immediately order'd a Summ of Money to be diſtributed for the Encouragement of the Soldiers and Pioneers, and ſome new Batteries being rais'd, the Attacks were carried on with great Diligence and Application: In the mean time, the Court of *France* being in great Pain for this Important Place, order'd Marſhal *Catinat* to Aſſemble an Army in *Alſace*, to endea-

endeavour its Relief; but that General finding the Design Impracticable, contented himself to remain in his Fortified Camp at *Hagenau*, to observe the farther Progress of the *Germans*: Who by the 17th of *August* had made all things ready for Attacking the Counterscarp, which they did with good Success, though they were twice vigorously repuls'd; yet returning a third time to the Charge, they made themselves Masters of it after a terrible Slaughter on both sides: So that having lodg'd themselves thereon, and perfected some other Works, they prepar'd to Attack the Cittadel. By this time, the King of the *Romans* receiving Information, that Marshal *Catinat* (who had been strongly Reinforc'd,) was Marching with design to relieve *Landau*, His Majesty and Prince *Lewis* broke up from before the Town with 25000 Horse, and march'd to meet him, and give him Battle in case he advanc'd that way. Mean while, the Siege was carried on by General *Thungen*, who on the 9th of *Sept.* Attack'd the Cittadel, which he carried in half an hours time, with inconsiderable Loss, and preparing next Day for a general Storm, the Governour (Monsieur *Melac*) thought fit to beat a Parley; and General *Thungen*, sending to acquaint the King of the *Romans* therewith, then Encamp'd at *Croonweisemburgh*, his Majesty return'd before the Place, and Granted the Garrison Honourable Terms.

These Successes of the Emperor's Arms, were quickly Clouded, and a Terrible Storm was now breaking out in the Heart of the Empire it self; for the Duke of *Bavaria*, being secretly Engag'd in the Interest of *France*, after several Ambiguous Pretences to cover his Designs, he publickly declar'd himself for that Crown, and siez'd upon *Ulm* a free Imperial City, and the Capital of *Suabia:* This sudden Fire breaking out, was a great surprize to all the Powers concern'd in the Confederacy; but the concern lay no where so deeply as upon the Empire it self: Whereupon the Diet of *Ratisbon*, then Assembled, immediately resolv'd to declare War against *France* and

Spain; and intreated the Emperor to uſe the ſaid Elector for his Breach of Faith, with all the ſeverity the Cauſe requir'd, and the Conſtitutions of the Empire wou'd allow. On the other Hand, the Elector Publiſh'd a Manifeſto to juſtify his Proceedings, and Threaten'd the Circles of *Suabia* and *Franconia* with his Arms, unleſs they excepted a Neutrality during the War. But theſe high Words were little minded; and all poſſible care was taken to hinder the Elector's Conjunction with the *French*.

The Emperor on his part, was not wanting to Exhort him by fair means to return to his Duty, but neither Threats, nor Promiſes join'd to thoſe Intreaties, had any Effect; for he had, as we may ſay, ſold himſelf to the *French*, and having entirely made himſelf Maſter of *Ulm*, he March'd toward the Forreſt Towns, with deſign to join a numerous Detachment of the *French* Army; but ſeeing no likelihood of ſucceeding therein, by reaſon of the timely Caution the *Switzers* had taken to ſecure the neceſſary Paſſes, he retreated back again to his own Country.

Prince *Lewis* in the mean time, having very much weakned his Army after the taking of *Landau*, by ſending conſiderable Detachments to oppoſe the Conjunction of the *Bavarians* and *French*, lay himſelf at *Fridlingen* with only a ſmall Reſerve of 8000 Men; of which Marquiſs *de Villars* having notice, he thought it a fair opportunity to Attack him, and therefore paſs'd the *Rhine* at *Newenburgh* with the *French* Army, and ſiez'd upon that Place: Prince *Lewis* finding his Deſign, Decamp'd from *Fridlingen* with his little Army, for fear of being encompaſs'd between the two Bodies of the *French*; the one under Marquiſs *de Villars*, and the other under Count *de Guiſcard*. During the Prince's March, the Count *de Merci*, who Commanded the Rear, ſent him Word that *Villars* was advancing toward him in order of Battle, with 30 Batallions and 40 Squa-

Squadrons, whereupon he order'd the Army to face about, and advance toward the Enemy.

The Armies being come within Fifteen Hundred Paces of each other, both ſides made a Halt, to prepare for an Engagement, which the Prince began by Playing his Cannon. The Succeſs of the Imperialiſts was at firſt very good, the Horſe having forc'd the Enemy to give way; but of a ſudden, (though for what Reaſon cou'd never be diſcover'd) the ſecond Line of Horſe was put into diſorder, and all the Horſe quitted the Field in ſuch Confuſion, that they cou'd never be Rallied again. Prince *Lewis* had then no other thoughts but of making the beſt Retreat he cou'd with his Infantry; but they, not at all Diſmay'd that the Horſe had ſo Diſerted them, nor at the Numbers of the Enemy, fell in with the *French* Foot, and entirely broke their Ranks, and drove them into a Wood adjoining, through which they purſu'd 'em almoſt as far as *Huminghen*: As for the *French* Horſe, they ſeem'd only to be as Spectators of the Defeat of their Infantry, till ſeeing them quite routed, they alſo retreated to *Huminghen.*

After the Fight, Prince *Lewis* remain'd five Hours on the Field of Battle, and then continu'd his March toward *Stauffen.* The Loſs in this Battle, was on both ſides pretty equal, and though with this inconſiderable Army, the Prince of *Baden* had acquir'd the greateſt ſhare of Honour; yet the Marquiſs *de Villars* maintain'd his Reputation of the Victory, by taking *Fridlingen* the next day: However, the Prince, by giving him that opportunity, prevented his joining the *Bavarians*, and being Reinforc'd by 15000 Men under General *Thungen.* He afterward oblig'd the *French* to repaſs the *Rhine.*

While the Imperialiſts were employ'd in cooping up the Elector of *Bavaria*, and endeavouring to reduce him to Terms of Reaſon who ſtood upon moſt extravagant and haughty Demands, Count *Tallard* ſat down before the Caſtle of *Traerbuch*, and took it after a ſtout Reſiſtance: But the Heri-

ditary Prince of *Heſſe Caſſel*, to retrieve this in ſome meaſure, marching from the Army at *Liege* with 9000 *Heſſians*, and finding that the *French* had poſſeſs'd themſelves of *Zinch*, *Lintz*, *Brizich* and *Andernach*; his Highneſs retook thoſe Places before he march'd into Winter Quarters, by which he very much ſtreighten'd *Bon*, which the Allies deſign'd to Beſiege the next Spring.

The Duke of *Vendoſme*, growing now much Superiour to Prince *Eugene* in *Italy*, had by this time not only reliev'd *Mantua*, but the Duke of *Anjou* having put himſelf at the Head of his Army there, obtain'd a conſiderable advantage over the Imperialiſts poſted at *Santa Victoria*, on the Banks of the *Croſtello*, under the Command of General *Viſconti*: After which, Prince *Eugene* being encamp'd at *Soiletto*, and his Army, by ſeveral neceſſary Detachments, being weakned and divided on each ſide the *Po*, and likewiſe having put ſtrong Garriſons into *Berſello*, *Oſtiglia*, *Guaſtalla*, *Mirandola* and *Luzzara*, he had ſcarce 25000 Men remaining in his Camp. On the other hand, the Duke of *Anjou*, with the Duke *de Vendoſme*, had an Army of 35000, with which they advanc'd to Attack the Imperialiſts; beſides, Prince *Vaudemont* was order'd to ſend a Reinforcement of 12 Batallions aud 20 Squadrons; with theſe preparations, the *French* and *Spaniſh* Army march'd from *la Teſta* to *Luzzara*, deſigning to ſieze on that little Place, but found it more difficult than they at firſt imagin'd; for the Commander in the Town, inſtead of Surrendring, anſwer'd the Summons with nothing but Cannonades.

Prince *Eugene* being timely inform'd of theſe Motions, and being poſted in ſuch a manner, as not to be able to avoid Fighting, unleſs to have his Proviſions and Communication cut off, reſolv'd to prevent the Enemy, and give 'em Battle before they were Reinforc'd from Prince *Vaudemont*, and before that Prince, who Canonaded and Bombarded *Borgofort* and the Bridge, cou'd have ruind either: Therefore hardly had the Duke *de Vendoſme*

doſme Inveſted *Luzzara*, when the Imperialiſts advanc'd in ſight of the *French* Army; and wou'd the nature of the Place have permitted it, Prince *Eugene* wou'd preſently have Engag'd 'em; but having order'd General *Vaubonne* to take a view of the Enemy, he found them Poſted in ſuch a manner, that he thought it requiſite to change his Order of Battle; which gave time to the greateſt part of Prince *Vaudemont*'s Reinforcements to Arrive and ſtrengthen the Enemy's Army. Notwithſtanding which, on the 15th of *Auguſt* N. S. about 5 a Clock in the Evening Prince *Eugene* gave the Signal of Battle, and the Cannon on both ſides having play'd for about an Hour, the Right Wing of the Imperialiſts made the firſt Onſet, and Attack'd the *French* in their Poſt along the Banks of the *Po*; This firſt Charge had no extraordinary Succeſs, for Prince *Commerci* being kill'd at the beginning, the loſs of ſo experienc'd and Belov'd a General, wrought ſome Conſternation in the Body which he Commanded, and Three Batallions and as many Squadrons were put into Diſorder: But this Confuſion did not laſt long, for the Batallions and Squadrons that had given Ground Rallied again; and ſome other freſh Regiments advancing to their Aſſiſtance, they bravely charg'd the Enemy a Second time, and drove them from their Poſt, and chas'd them above 1000 Paces from one Entrenchment to another. The Imperialiſts Left Wing Fought with equal Vigour, and Count *Staremburgh* who Commanded the Infantry, began the Attack with the Grenadiers, while the Young Prince of *Vaudemont*, who Commanded the Cavalry, form'd a Flank with the Regiments of *Herbeville* and *Darmſtadt*, ſupported by two Squadrons of his own Regiment, Four of *Corbelli*, and a Regiment of Dragoons. They were no ſooner Poſted, but the Enemy endeavour'd to Penetrate their Flank with their Carabineers and two *Iriſh* Batallions: But the Imperialiſts ſtood the Brunt of their Charge with extraordinary Reſolution, and afterward fell upon them with ſuch Bravery, that they drove them

them from their Posts, full of Cuts and Ditches, till at length the Dragoons of *Savoy*, falling in Pell-mell with the Enemies Dragoons, forc'd them to give way. And likewise on their Left Wing, notwithstanding the vigorous opposition and dreadful fire of the *French*, they were forc'd to Retreat from one place to another, till being repuls'd three or four times, and driven quite out of their Posts, Night put an end to the Battle. As for the Victory, it was claim'd by both Parties, and continues in dispute to this Day; but 'tis certain, the Imperialists had the Honour, who remain'd Masters, not only of the Field of Battle, where they actually Encamp'd that Night, but also of the Slain and Wounded, and of part of the Enemies Baggage. The *French* assum'd the Honour of this Day, from the consequence, having the next Day made themselves Masters of *Luzzara*; which Prince *Eugene* cou'd not relieve, because the Enemy lay so strongly Entrench'd between him and the Place: And also, for that the Remainder of the Campaign, they generally gain'd some slight Advantages in Dislodging the *Germans* from some small Post or other.

During these Transactions abroad, a vast Fleet had been fitting out in *England* and *Holland*, on some secret and weighty Expedition, which kept the Courts of *France* and *Spain*, and even *Portugal* in continual Alarms; for though the latter gave fair Words to the Imperial Minister, and to Mr. *Methuen*, Her Majesty's Envoy extraordinary there, yet they began to fear, lest the Allies having so formidable a Power at Sea, shou'd use more forceable means than a Negotiation, to draw that Monarch from his late Engagement with *France*. Nor was it certain, where this Storm was like to fall, or which Kingdom was most Threatned; while *France* having sent two Numerous Squadrons of Men of War to the *West-Indies*, both to attack the *English* Plantations there, and to bring Home the *Spanish* Galeons, had no Ships left to defend her Coasts, much less any considerable Number to Protect

tect those of *Spain* from the Danger that Threatned: Toward the latter end of *May*; The Fleet began to Rendezvouz at *Spithead*, under Sir *George Rook*, and Sir *Cloudsly Shovel*, and at the same time Rear Admiral *Fairborn* arriv'd there from *Ireland*, with a Squadron of Men of War to join them; having on Board Four Regiments of Foot, which were to make up part of the Land Forces. On the 11th of *June*, the Duke of *Ormond*, Admiral *Churchill*, and Sir *Henry Bellasis*, arriv'd at *Portsmouth*; and the next Day his Royal Highness the Prince of *Denmark*, set out for that Place, in order to take a View of Her Majesty's Fleet, and the Forces that were to serve on Board the same, that lay Encamp'd in the *Isle of Wight*: The same time the Queen went from St. *James*'s to *Windsor*, having the Day before, by Her Royal Proclamation, order'd all Ships stopt before the Declaration of War, to be Discharg'd; and likewise caus'd another Proclamation to be Publish'd, For the Encouragement of her Ships of War and Privateers.

The same Day His Royal Highness arriv'd at *Portsmouth*, where he was receiv'd by the Governour and Magistrates with all the Marks of Honour and Respect, and the next Morning the Prince went to the *Isle of Wight*, where he review'd the Forces Encamp'd there, which he found in very good order, and the Day following took a view of the Fleet, and Din'd with Sir *George Rook* on Board the *Royal Soveraign*; the next Day he view'd the Dock and Harbour, and set out the Day following for *London*, where the Queen was arriv'd the Night before from *Windsor*.

On the 23d of *June*, one *William Fuller*, a Notorious Impostor was Sentenc'd at the Queens-Bench-Bar, pursuant to an Order of the House of Lords of the 19th of *January*, for Publishing two False and Scandalous Libels, reflecting upon several Members of both Houses of Parliament, wherein he endeavour'd to prove the Spuriousness, and Sham Birth of the Pretended Prince of *Wales*; but was Voted

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an Incorrigible Villain, and the Sentence pronounc'd againſt him was, That he ſhou'd appear at all the Courts of *Weſtminſter* with a Paper in his Hat, denoting his Offence; to ſtand three times in the Pillory, and afterwards to be ſent to the Houſe of Correction, and there to be Whip'd, and put to hard Labour till the 24th of *October* following; which Sentence was ſeverely put in Execution.

But to return to the Fleet at *Portſmouth*, which on the 19th of *June*, ſoon after the Prince's departure, weigh'd from *Spithead*, and came to an Anchor at St. *Helens*, from whence Rear Admiral *Graydon*, and Rear Admiral *Fairborn* were Detach'd with a Squadron of Thirty Sail of Men of War, *Engliſh* and *Dutch*, upon ſome ſecret Expedition; and three Days after, the Prince of *Heſſe Darmſtadt* Sail'd in the *Adventure* Frigat for *Lisbon*, to make ſome neceſſary preparations againſt the Arrival of the Grand Fleet. During the ſtay of the Fleet at *Spithead*, Sir *John Munden* return'd with his Squadron thither, who had been ſent out ſome time before to Intercept a *French* Squadron that was going to the *Weſt-Indies* under Monſieur *du Caſſe*; and which he miſs'd but ſome very few Hours, by ſtanding in the Night too far off his Station, the *Groyne*, while the *French* in that unlucky opportunity ſlipt in, and put it out of his Power to execute his Commands. This Diſappointment and Omiſſion was ſo Reſented by the Queen and Council, that a Commiſſion was preſently ſent down to enquire into Sir *John*'s Conduct; and though the Court Martial had acquitted him, yet it being Whiſper'd that he had been Favour'd by his Captains, Her Majeſty thought fit to lay him aſide. It was the firſt of *July*, before a favourable Wind preſented to carry the Fleet from *Spithead*, and on the 5th they were join'd by Five Sail more from *Plymouth*, being then off that Harbour; theſe Five Ships had on Board Colonel *Seymours* Regiment, and part of Colonel *Villars*, which were to ſerve in this Expedition. Two days after, the Wind being contrary, and Blowing very hard, the whole Fleet

Fleet put into *Torbay*, where they remain'd till the 22d, and then proceeded on their Voyage, consisting of 130 Sail, on Board of which were 10000 Land Forces.

While the Fleet is thus Sailing on their Intended Expedition, let us take a view of the Affairs of *Scotland* at this time: On the 9th of *June*, the Parliament of that Kingdom being met, the Duke of *Hamilton* stood up and Demanded to be heard; and though the Lord Chancellor desir'd him only to sit still till the Queens Commission was read, and the House Constituted, yet he went on, and said both in his own Name and those that adhered to him: 'That they were Heartily glad at Her Majesty's 'Happy Succession to the Throne, not meerly on 'Account that it was Her undoubted Right by De-'scent, but likewise for the many Personal Virtues 'and Royal Qualities that Her Majesty was En-'dow'd with, which gave them Hopes, that they 'shou'd enjoy under Her Auspicious Reign, all 'the Blessings that cou'd attend a Nation, which 'had a Loving and Gracious Soveraign, and United 'with a Dutiful and Obedient People. That they 'were resolv'd to Sacrafice their Lives and Fortunes 'in Defence of Her Majesty's Right, against all 'Enemies whatever: But at the same time they 'acknowledg'd their Submission to Her Majesty's 'Authority, they thought themselves in Duty 'bound, by Virtue of the Obedience they ow'd to 'the standing Laws of that Nation, and out of the 'regard they ought to have for the Rights and Li-'berties of their Fellow Subjects, to declare their 'Opinion, as to the Legality of that Meeting, that 'they did not think themselves Warranted by Law, 'to Sit and Act any longer as a Parliament; and that 'by so doing, they shou'd incur the hazard of their 'Lives and Fortunes, if ever their Proceedings 'should be question'd in a Subsequent Parliament. 'After which, the said Duke Read a Paper in Sub-'stance as follows:

'For

' For as much as by the Fundamental Laws and ' Conſtitutions of this Kingdom, all Parliaments ' do Diſſolve by the Death of the King or Queen, ' except in ſo far as they are Innovated by the ' 17th Act, 6th Seſſion of the Parliament of King ' *William*, Impowering the Parliament laſt in being, ' at His Majeſty's Death, to Meet and Act what ' ſhou'd be needful for the Defence of the true Pro- ' teſtant Religion, as by Law Eſtabliſh'd, and ' maintaining the Succeſſion of the Crown, as ſettled ' by the Claim of Rights, and for preſerving and ſe- ' curing the Peace and Safety of the Kingdom: And ' now, ſeeing that the ſaid Ends are fully ſatisfied by ' Her Majeſty's Succeſſion to the Throne, whereby ' the Religion and Peace of the Kingdom is ſecur'd; ' we conceive our ſelves not Warranted by this Law ' to Meet, Sit or Act, therefore do Diſſent from all ' that ſhall be done, and thereupon take Inſtruments. Which accordingly having done, the Duke went out of the Houſe, and the Clerk, Regiſter, and 79 Members that Adhered, likewiſe took Inſtruments and withdrew. Nevertheleſs, the Duke of *Queensberry*'s Commiſſion was read, which Conſtituted him High Commiſſioner of that preſent Seſſion, and Her Majeſty's Letter to the Parliament of *Scotland* was preſented by the Lord High Commiſſioner: Wherein She aſſur'd them, *That ſhe was firmly reſolv'd to Protect them in the full Poſſeſſion of their Religion, Laws and Liberties, and of the Presbyterian Government of the Church as by Law Eſtabliſh'd: She likewiſe deſir'd them to conſider the Repoſe of the Proteſtant Religion, and the great Indignity offer'd to both Nations by the* French *King's owning the Pretended Prince of* Wales, *deſiring their Hearty Concurrence and Aſſiſtance, in Diſappointing the further ill Deſigns of the Enemies of the Proteſtant Religion; and likewiſe to eſpouſe all the other juſt and neceſſary Cauſes of the War. She likewiſe recommended to their Conſideration, the Thoughts of an Union between the Kingdoms, advanc'd to the* Engliſh *Parliament by King* William, *a little before his Death.* This Letter was ſeconded by the Loyal

Loyal and Eloquent Speeches of the Duke of *Queensberry*, and the Earl of *Marchmont*: After which, the Parliament adjourn'd till the 11th, when they proceeded to chooſe Committees for ſecurity of the Kingdoms, for Controverted Elections, for drawing an Anſwer to Her Majeſty's Letter, which was read and approv'd, and order'd forthwith to be ſent to Her Majeſty.

The Parliament of *Scotland*'s Letter to the Queen.

May it pleaſe your Majeſty,

YOur Majeſty's moſt Gracious Letter was receiv'd and accepted by us in this our firſt Meeting, after the Death of our late Glorious Soveraign, as a high and moſt ſeaſonable Favour.

The late King William, *of ever Bleſſed Memory, by his Acceſſion to the Throne, delivered us from imminent Ruin, and under his Royal Government we for many Years enjoy'd ſuch a Happy Settlement, as in the times of War, as well as of Peace, gave us the quiet and full Poſſeſſion of our Religion, Laws and Liberties, and all that could be dear to us.*

But when ſo great a Loſs did fill us with Sorrow and Fears, Your Majeſty's Succeſſion, by an undoubted Right, to the Crown of your many Royal Anceſtors, under whoſe Scepter this Your Ancient Kingdom hath ſo long Flouriſh'd, was the only Comfort whereof we were capable.

Your Majeſty's firm Conſtancy in the true Proteſtant Religion, is the great Satisfaction of all its Well-Wiſhers; and You have, at Your Entry to the Royal Government, ſhew'd that Care and Concern for the Intereſt and Proſperity of Your Kingdoms, and for the Liberty of Europe, *as have every where revived with a new Vigour, whatever during the Life of the late King was projected for theſe great Ends.*

It is our Misfortune that we are at this time depriv'd of Your Royal Preſence; but Your Majeſty doth ſo fully make up this Diſadvantage by the benign Influences of your Royal Favour, in giving us ſo full

Aſſu

Assurances of your firm Resolution to protect our Religion, Liberties and Laws, particularly the Presbyterian Government as now Establish'd, as give us only Ground to Regret, that by this necessary Distance, we should be hindred to express in your own Presence, our most Cordial and Dutiful Acknowledgments.

It pleased the late King to continue us during his Reign as the Parliament and Representative of his People, and there could be nothing more for our Honour, and we hope for your Majesty's Service, and the Kingdoms Satisfaction, than that you have been pleas'd to call us together at this time, and so graciously to signify by us your good Mind to all your Subjects.

We have most heartily and unanimously embrac'd this Opportunity to Recognize your Majesty's just Right and Title, and to Congratulate your Entry to the Royal Government, and withal to offer our best Endeavours to maintain your Majesty's Authority to the utmost of our Power.

At our first Meeting, some of our number not waiting to hear your Majesty's Commission or Gracious Letter Read, did, without regard to your Majesty's Authority, and the Authority and Dignity of Parliament, withdraw and remove themselves from their Attendance, and from Concurring, as in Duty obliged, to Recognize your Majesty's Right and Succession, or assisting in what appears so necessary at this time for the Defence of the Protestant Religion, and the preserving and securing the Peace and Safety of the Kingdom: But leaving this to your Royal Consideration, we shall only assure your Majesty, that this their Groundless Secession shall encrease and strengthen our Care and Zeal for your Majesty's Service, and what you have been pleas'd to recommend to us.

The growing Power and unbounded Ambition of the French *King, and his most Injurious Owning the Pretended Prince of* Wales *as King of this, and your Majesty's other Dominions, having engag'd your Majesty in a just and necessary War, we should be wanting to our Selves, as well as to your Majesty's Care for our Preservation, if we did not Provide Supplies for our own Defence and Security.*

The

The Union of the two Kingdoms of Scotland *and* England *hath been long desired by all good Men, and the late King, at his first Accession to the Government; and we, when convened as a Meeting of the Estates of the Kingdom, did judge it one of the best Means for procuring the Happiness, and settling the Peace of these Nations, and therefore we are resolved to prosecute your Majesty's Recommendation, and the Advancement already made by the Parliament of* England, *with such a suitable Return as may best contribute to accompliſh this great Design, to your Majesty's Satisfaction and Glory.*

We take it for a singular Mark of your Royal Favour, and a very promising Encouragement to all our Proceedings, That your Majesty hath been pleas'd to appoint James *Duke of* Queensberry *to be your Commissioner, to Represent your Royal Person in this Session of Parliament: We have been already Witnesses of his great Sufficiency, Faithfulness, and Zeal in the Discharge of this high Trust; and we assure your Majesty, That, next to your Royal Person, he is to us most acceptable. Being therefore fully convinc'd, That all that your Majesty demands or expects from us, is, our own Security and Happiness, and that you give us all the Encouragements for these Ends that we can possibly desire; we doubt not but that all Matters shall be so managed and concluded in this Session of Parliament, as may be most for the Advancement of your Majesty's Service, and the Peace and Welfare of the Kingdom.*

On the 19th, an Act for a Supply of Ten Months and half's Cess upon Land-Rents, receiv'd the Royal Assent.

The Dissenting Party, of whom Duke *Hamilton* was the Chief, having prepar'd an Address to be presented to the Queen, to justify their own Proceedings, and sent the same up by the Lord *Blantire*: Her Majesty declin'd to receive it, tho' she was pleas'd to allow his Lordship Access to Her Royal Person. After mature deliberation on this nice Affair, Her Majesty resolv'd to adhere to the Parlia-

ment conven'd by Her Authority, and ſent them the following Letter, which was read on the 23d.

ANNE R.

My Lords and Gentlemen,

BEing informed that at your Firſt Meeting, by Vertue and Warrant of the Seventeenth Act of the Sixth Seſſion of this current Parliament, and of Our Proclamation of Adjournment agreeable thereto; ſeveral Members of Parliament, after Prayers ſaid, and declining to wait the Reading of our Commiſſion granted to James *Duke of* Queensberry, *Repreſenting Our Royal Perſon in this Meeting of Parliament, did Preſume to Declare openly, That they did not Conceive themſelves Warranted to Meet and Act in this preſent Seſſion of Parliament; and therefore Diſſented from any Thing ſhould be done or acted therein: And thereupon did take Inſtruments, and withdrew, and removed from their Attendance. We have thought fit to Signify to you Our Juſt Reſentment of the Irregular and Unuſual Proceeding, and Our Reſolution to Own and Maintain this preſent Seſſion of Parliament, and the Dignity and Authority of the ſame, and of Our High Commiſſioner thereto, againſt all Oppoſers: And this We thought fit to Declare for your better Encouragement, That you may proceed vigorouſly in your Work, for Defence of the* True Proteſtant Religion, *the Maintaining of the Succeſſion to the Crown, and for the Preſerving and Securing of the Peace and Safety of the Kingdom. And ſo We bid you Heartily Farewell.*

Given at Our Court at St. *James*'s the Seventeenth of *June*, 1702. And of our Reign the Firſt.

Two days after, the Royal Aſſent was given to an Act, *for Enabling Her Majeſty to appoint Commiſſioners for an Union between the two Kingdoms*: Tho' ſome Members diſſented from it, becauſe they could not get a Clauſe inſerted in it, about the *Presbyterian* Government.

And

And now, as the Parliament of *England* had ſettled the Succeſſion of the Crown upon the Houſe of *Hannover*, after Her Majeſty and Her Iſſue in the Proteſtant Line; it was thought proper to propoſe it at this time to the Parliament of *Scotland*: But the Party who oppos'd the Succeſſion, being willing to admit the Diſſenting Members into the Houſe to have their Aſſiſtance therein; the Duke of *Queensberry* who fear'd ſuch a Condeſcention wou'd not produce the Ends propos'd, thought fit to Adjourn the Parliament on the 30th of *June*, after giving them Thanks for their Unanimous and Chearful Proceeding, in Recognizing Her Majeſty's Royal Authority, ſecuring the Proteſtant Religion and Presbyterian Government; and for diſpatching the other Acts for Her Majeſty's Service, and the Good and Safety of the Kingdom: So ended this Seſſions of the *Scotch* Parliament.

On the 2d of *July*, Her Majeſty Publiſh'd Her Royal Proclamation for Diſſolving the preſent Parliament of *England*, and for the ſpeedy calling another, to Meet at *Weſtminſter* the 20th of *Auguſt* following: 'And ſoon after, the Queen declar'd in 'Council, That She judg'd the Selling of Of-'fices and Places in Her Houſhold and Family, to 'be highly diſhonourable and prejudicial to Her 'Service, and a diſcouragement to Virtue and true 'Merrit, which cou'd, and ſhou'd only Recom-'mend Perſons to Her Royal Approbation; and 'therefore order'd, that no Officer or Servant 'whatever, that was, or ſhou'd be of Her Family 'or Houſhold, ſhou'd preſume to Sell or Buy 'any Office or Place therein, under Penalty of In-'curring Her Royal Diſpleaſure, and being remov'd 'from their Employments. And having made this Excellent Speech, She advanc'd ſeveral Perſons of real Worth and Merrit, to Employments and Offices both in Her Houſhold and otherwiſe.

Her Majeſty's Royal Conſort the Prince of *Denmark*, having been ſome time Indiſpos'd of an *Aſthma*, and being advis'd by his Phyſicians to uſe

the Waters of the *Bath*; Her Majeſty and his Royal Highneſs ſet out from *Windſor* the 26th of *Auguſt*, and lay that Night at *Oxford*, where Her Majeſty having been Welcom'd in a moſt Solemn Manner, She was Graciouſly pleas'd to Expreſs her ſelf in theſe Words.

Mr. Vice Chancellour and Gentlemen,

I *Am very glad of this occaſion of aſſuring you of My Favour and Protection; and take theſe Marks of your Duty and Affection to Me very kindly. I ſhall always have a particular Regard to this great Body, that is ſo great in it ſelf, and ſo uſeful both to Church and State.*

Her Majeſty was Conducted by the Earl of *Abbingdon*, and other Gentlemen of the County, onwards of Her Journey, and arriv'd at the *Bath* the 28th of *Auguſt*: Where She receiv'd the greateſt Demonſtrations of Joy, in the Univerſal Acclamations of all ſorts of People; Her Majeſty being alſo Invited to *Briſtol*, by the Mayor, Aldermen and Sheriffs, She was pleas'd to Honour the City with Her Royal Preſence, together with the Prince and the whole Court; and having receiv'd the moſt Solemn Demonſtrations of Her Welcome there, She return'd again to the *Bath*, where on the 6th of *October*, a Proclamation was ſign'd for Proroguing the Parliament, which ſhou'd have met the 8th of *October* following, to the 20th of the ſame Month; and two days after Her Majeſty left that Place, and arriv'd the 10th at *Windſor*, and quickly after at St. *James*'s, where the Lord Mayor and Court of Aldermen waited on Her Majeſty and his Royal Highneſs, to Congratulate their Good Health, and Safe Arrival.

By this time, the 12th of *Auguſt*, the Confederate Grand-Fleet was arriv'd at *Cadiz*, and the neceſſary preparations for a Deſcent being made, it was reſolv'd in a General Council of War to Land at *Rota*.

In

In the mean time, a Boat was ſent in from the Admiral, with a Flag of Truce, and ſome Declarations; and his Grace the Duke of *Ormond*, wrote likewiſe a Letter to the Governour of *Cadiz*, with whom he had been formerly acquainted in the War in *Flanders*, to Invite him to Surrender: But the Governour by a civil Meſſage anſwer'd, *That he was much oblig'd to his Grace, for his good Opinion of him, and hoped he ſhou'd do nothing to forfeit the ſame, nor againſt the Truſt the King his Maſter had repos'd in him.*

So that Inſtructions having been given for a Deſcent, Twelve Hundred Grenadiers were order'd to Land firſt, and about Four in the Morning all the Boats of the Fleet were employed to hale them in, and the reſt of the Forces, which then Rendezvouz'd together in the Boats near the Shore, and were plac'd in Order by his Grace the Duke of *Ormond*, who was then in his Barge on the Right, with the *Engliſh* Flag; and Baron *Spaar* in his, with the Emperor's. The Grenadiers led the Van, and landed in the Bay of *Bulls*, between *Rota* and St. *Catherine*'s *Fort*, in *Andalouſia*, though with much difficulty, the Wind being ſo boiſtrous, and the Sea ſo ſwoln, that near thirty Boats were over-ſet, and ſeveral Men drown'd; many of the Infantry being oblig'd to ſwim to ſhore, and others to wade up to the Neck. No ſooner were about eighty Grenadiers, commanded by Colonel *Pierce*, landed, but they were briskly charg'd with Sword in Hand, by a *Spaniſh* General Officer, at the Head of a handful of reſolute Troopers, who were ſo warmly receiv'd by the *Engliſh*, that the firſt ſoon retreated, leaving their Commander with five of his Men dead on the place, and ſeveral Horſes; beſides a Captain and a Cornet, who were wounded and taken Priſoners: The *Engliſh* having had only one Man wounded in this Skirmiſh, which Succeſs favoured the landing of the reſt of the Forces.

The *Spaniards* had near the Water ſide, a Battery of four Guns, from which they fir'd with little

Succeſs; and which they quitted at the approach of the *Dutch*, diſmounting the Guns, and nailing them up: But they were more troubleſome from St. *Catherine*'s *Fort*, whoſe Cannon killed two, and wounded three of the Confederates; notwithſtanding her Majeſty's Ship the *Lenox*, Captain *Jumper* Commander, and another Frigat, fir'd briskly againſt it all the while.

The Forces being landed, and the *Dutch* having made themſelves Maſters of the Enemies Battery, Baron *Sparr* diſpatch'd an *Aid de Camp* to the Duke of *Ormond*, to tell his Grace, That if he would ſend him a Reinforcement of 200 Men, he would go and make himſelf Maſter of *Rota*. The Duke, not thinking that Number ſufficient to take that Place, which he rightly judg'd to be of the laſt Importance to ſecure his Retreat: his Grace directed Baron *Sparr* to March on towards it, and acquainted him that he would follow with the reſt of the Army. Accordingly both the *Engliſh* and *Dutch* march'd that Evening, and lay all Night on their Arms, (as did the Duke of *Ormond* on the Ground) about two Miles ſhort of the Town. The next Day the Forces continued their March, but before they reach'd *Rota*, the *Alcayde* or Chief Magiſtrate of that Place, accompanied with ſome others, being come to ſurrender it, 100 Grenadiers were detach'd to take Poſſeſſion of the ſame; and his Grace having taken up his Quarters in the Caſtle, the Army encamp'd before the Town.

His Grace, at his firſt coming on the *Spaniſh* Coaſt, publiſh'd a Declaration, dated the 21ſt of *Auguſt*, (N. S.) ſetting forth, *That her Majeſty the Queen of* Great Britain, *having been pleaſed to give him the Command of the Forces which her Majeſty had joined with thoſe of the States General, for aſſerting the Rights of the Houſe of* Auſtria, *in purſuance of their Treaties of Alliance with the Emperor, his Grace judged it neceſſary, before he made uſe of the ſaid Forces, to declare, That he did not come thither to poſſeſs himſelf of any Place of the* Spaniſh *Monarchy in the Name of her Majeſty,*

jesty, or of the States General of the United Provinces, *or to introduce therein the usual Troubles and Calamities of War by way of Conquests; but rather to defend the good and loyal Subjects of the said Monarchy, and to free them from the insupportable Slavery whereto they were brought and sold to* France *by some disaffected Persons: Wherefore the Design of her Majesty and the States General, being only to assert the Rights of the House of* Austria, *his Grace declar'd, That all good* Spaniards *that shou'd not oppose his Forces, should be protected in their Persons, Estates, Privileges, Religion,* &c. *but if, contrary to Expectation, they did not concur with her Majesty's and the States good Intentions, his Grace took GOD to Witness, that then the Hostilities committed by the Troops under his Command, must be laid on the* Spaniards *themselves, who having so fair an Opportunity to shew their Loyalty, and follow the Motives of their Obligations and Interest, refused to embrace it.*

The Prince of *Hesse d' Armstadt* did also publish a Declaration in the Emperor's Name, and sent it to *Cadiz*, and several other Places, to be distributed among the People, causing at the same time the Imperial Standard to be set up. On the other Hand, the Duke of *Ormond* sent a Letter to the Governor of *Port* St. *Mary*'s; who return'd a rude and unbecoming Answer, in a Paper unseal'd, and no Name subscrib'd, in these Words in *Spanish*, *Nos otros Espanoles no mudamos de Religion, ni de Rey*; that is, *We* Spaniards *neither change our Religion nor King.*

The Duke having staid at *Rota* till the 20th, and by this time the Dragoons and Train-horses, with 4 Field-Pieces, two Battering Pieces, four Mortars, and the Ammunition being landed, his Grace left there a Garrison of 300 Men, under the command of Colonel *Newton*, and in the Evening march'd with the Army towards *Port* St. *Mary*. About 11 in the Night, a party of *Spanish* Horse, who lay in Ambuscade at a Pass, fired briskly on the Confederates Advanc'd Guard; but without doing them any Damage, except killing Colonel *Gore*'s Horse under

him. Upon the Grenadiers advancing, the *Spaniards* quitted their Poſt, and the Army lay on their Arms at the Paſs till Morning, and then marched forward, though with incredible Difficulty, by reaſon of the immenſe and ſcorching Heat of the Sun, and the want of Proviſions. Some Squadrons of *Spaniſh* Horſe, making about 600 Men, made a faint ſhew of oppoſing their March, but as the Confederates advanced, the others retreated; till the firſt arrived at *Port* St. *Mary*, which they found deſerted by the Major Part of the Inhabitants. There were indeed about 200 Soldiers who betook themſelves to a ſtrong Houſe, and ſtood to their Arms till the *Engliſh* drew up, deſigning to ſet fire to it, and give no Quarter; which the *Spaniards* perceiving, they ſurrender'd themſelves Priſoners at Diſcretion; and ſome others who endeavour'd to eſcape over the River in Boats, were ſhot in Landing.

While the Land-Forces were marching to *Port* St. *Mary*'s, a Council of War of Flag-Officers was held on Board the *Liberty*; wherein were preſent Vice-Admiral *Hopſon*, Rear-Admiral *Graydon*, Captain *Ley*, Lieutenant-Admiral *Allemond*, Admiral *Callenburgh*, Vice-Admiral *Vandergoes*, and Vice-Admiral *Pieterſon*. In this Council, upon a farther Conſideration how the Bombardment of *Cadiz*, purſuant to the laſt Reſolution of the Flag-Officers of the 15th of that Month, might be moſt effectually put in Execution, it was agreed and reſolv'd, 'That a 'Squadron of ten *Engliſh* and ſix *Dutch* Ships of 'War, with the ſmall Frigats, Fire-Ships and Bomb-'Veſſels in the Fleet, ſhou'd be appointed to per-'form this Service, as ſoon as *Fort St. Catalina* was 'taken; but if the Wind prove *Eaſterly*, to prevent 'the ſaid Squadron's getting into the Bay, it was 'reſolv'd to Bombard the Town, on that ſide of 'the Town between the *Portugues* and St. *Sebaſtian*. 'It was alſo agreed, That if the Duke of *Ormond* 'ſhould think it better for the Service, to forbear 'Bombarding *Cadiz* till the Army were march'd on '*Port-Royal* ſide, that the ſame ſhou'd be obſerv'd 'accordingly.

On

On the 22d of *Auguſt*, a Summons was ſent to the Garriſon of St. *Catharine*'s *Fort*, who made Anſwer, That he would defend his Poſt to the laſt drop of his Blood; and would cauſe the firſt *Engiſh* Man that ſhould fall into his hands to be Hang'd. But notwithſtanding his Rhodomontade, upon the Approach of a Detachment from the Confederate Army, with two Field-Pieces, he made his Eſcape in a Boat, and committed the Defence of the Fort to an Enſign; who being given to underſtand, that if he did not immediately ſurrender, he muſt expect no Quarter, conſented to be made Priſoner of War, with 40 of his Men.

Though before the Army reach'd *Port St. Mary*, the Duke of *Ormond* had given ſtrict Orders againſt Plundering, yet it was not in the power of the Officers to contain their Famiſh'd and Thirſty Soldiers from forcing open the Houſes, where they expected to find Refreſhments; nor was it long before they found out Cellars plentifully ſtored with Rich and Strong Wines, where they quaffed and carrouz'd all the firſt Night. The next Day, their Licentiouſneſs being heightned by the Fumes of their Liquor, they proceeded to rifle and pillage the Houſes in a moſt outragious manner, not contenting themſelves to take Moveables, but breaking and ſpoiling what they could not carry away. Now becauſe this Booty had been of no uſe to them, unleſs they ſhould ſecure it aboard the Fleet, they call'd the Sea-men to their Aſſiſtance; who from Seconds, immediately became Principals, and pilfer'd whatever they could lay Hands on, with more eagerneſs than the reſt. Nor did the plundering ſtop here: For the Officers of the Army themſelves thought it Prudence to ſhare the Sweetneſs and Profit of a Miſdemeanor, which they could not hinder; nay, ſome went ſo far, as to think themſelves entituled by their eminent Stations, to engroſs the greateſt part of the Booty; for which purpoſe, they ſet Guards on the Avenues of *Port* St. *Mary*, and ſtopt all the meaner Sort that were carrying Goods to the Fleet, with which they ſtored

their

their own Magazines; and which they afterwards retail'd for ready Money. Some Churches fared no better than private Houſes, being deſpoiled of their moſt precious Ornaments: Inſomuch that the Damage done to this City, (one of the beſt Built, beſt Furniſhed and Wealthieſt in all *Spain*) was modeſtly computed at Three Millions Sterling; though the Confederates were not one third part of that Summ the better. Theſe Hoſtilities ſo enrag'd the *Spaniards*, that many who before deſign'd, now declin'd to join the Confederates; and his Grace the Duke of *Ormond* ſo highly Reſented the Breach of his Commands, that Sir *Henry Bellaſys* and Sir *Charles Hara*, were afterwards put under Arreſt for it.

On the 24th of *Auguſt*, a Council of War of Land and Sea Officers were held at *Fort* St. *Catharine*, wherein were preſent, his Grace the Duke of *Ormond*, Sir *Henry Bellaſys*, Baron *Sparr*, Sir *Charles Hara*, Brigadier *Palands*, Brigadier *Matthews*, Brigadier *Seymour*, Lieutenant-Admiral *Allemond*, Admiral *Callemburgh*, Vice-Admiral *Hopſon*, Vice-Admiral *Vandergoes*, Vice-Admiral *Pieterſon*, Sir *Staffard Fairborn*, Rear-Admiral *Graydon*, and Captain *Ley*. In this Council, 'Upon Conſideration that, purſuant to the laſt Council of General 'Officers of the 13th Inſtant, *Fort Sta. Catalina* 'and *Port Sta. Maria* were reduc'd, which gave a 'paſſage to the Fleets going to the Bay of *Cadiz*, 'and an opportunity of Watering in the Bay of '*Bulls*, with more Eaſe and Security; as alſo what 'was farther to be done towards Reducing the 'Town of *Cadiz*, it was reſolved, That if the Army could take the *Matagorda*, that then a Frigat 'or two ſhould be ſent in to paſs the *Puntals*; and 'and if they found that Channel clear, that more 'Ships be order'd in to deſtroy the *French* Ships 'and Gallies; upon which Reſolutions the Rear-'Admirals *Fairborn*, *Waſſanaer*, and *Graydon*, were 'order'd to ſee, if it was practicable to tranſport 'the Troops from the River of *Port* St. *Mary*'s, to

'the

' the Neck of the Land that goes to the *Matagorda*. Purſuant to this Order, the three fore-mentioned Rear-Admirals went that Afternoon in their Boats to make their Obſervation of the Shoar along towards the *Matagorda*, and being returned, acquainted his Grace by Letter, *That by the Shallowneſs of the Water they found it not practicable for their Ships to cover any Deſcent made that Way by the Army, there being above a Mile but two Foot and a half at low Water; That it was all along a hard Sand; And that the Inginiers were of Opinion, that the Cannon could not be got out there.* The next Morning they went a ſecond time to view the River *Xeres*, it being pretty near High-water; and then ſent his Grace an Account, *That they were in the Mouth of the River, where they had ten Foot Water, That this River was Navigable for all their Boats, and as far as they could ſee, they reckoned it about a Quarter of a Mile broad; That the ſhoar on the ſide of* Matagorda *appear'd to be a hard Sand, and the Bank deep enough Covert for Foot; but they could not ſee how far the Banks reached of that ſide towards the Ships of the Enemy, the Land ſeeming very narrow in that Part; ſo that they reckoned themſelves not much out of the Shot of the Guns from the Ships that lay in* Port-Royal *Creek. That it ought to be conſider'd, that if the Wind blows* Weſterly, *there runs too great a Sea to Land; and with the Wind* Eaſterly, *as that Day, Boats laden with Men cannot row to Wind-ward; ſo that they muſt wait for fair Weather or a Calm*, Concluding, *That Monſieur* Carles *had been along with them, and was gone again with a Maſter of Mine to obſerve a little better the Situation of the Caſtles, and would make his Report to his Grace.*

The Garriſon of *Cadiz* having by this time recover'd their Alarms, and ſunk three Galeons at the Entrance of their Harbour called *Puntal*, to prevent the Confederate Fleet going into it: And the Marquis *de Villadarias*, Governor of *Andaluſia*, having vaſtly encreaſed his Army, and often drawing up between *Xeres* and *Port* St. *Mary*, the Duke of

Ormond

Ormond marched with the Forces out of the latter Place on the 25th, and encamped at *Santa Victoria*, where his Grace took his Quarters in a Cloyſter, and the next Day caus'd his Declaration to be ſolemnly read through the Town, and at the Head of every Regiment, whereby he forbad Plundering upon pain of Death.

On the 27th a Letter was ſent by Sir *Staffard Fairborn* to the Duke of *Ormond*, acquainting his Grace, That Admiral *Allemond* deſired a Council of War at *Fort Santa Catalina*, of Sea and Land Officers; to which his Grace immediately agreed. After many Debates, it was reſolved at laſt, 'To go upon 'the former Reſolution of the Council of War, 'and endeavour to take the *Metagorda*: And in or-'der to it, Six long Boats and three Pinnaces for 'the Infantry, and two Field Pieces, were directed 'to march with Baron *Sparr*, with Three long Boats 'to paſs the Two Field Pieces, and Fourteen Horſes 'to draw them; and that the Boats mentioned be 'early next Morning ready to come to *Port St. Mary*.

Accordingly on the 28th of *Auguſt*, Baron *Sparr* with a Detachment of 2400 Men, *Engliſh* and *Dutch*, marched againſt the *Matagorda*; And his Grace diſpatched his Letters from *Santa Victoria*, by the *Dunwich*, both to his Royal Highneſs and the Earl of *Nottingham*, wherein he gave them an Account of his Proceedings; and amongſt other Things acquainted the latter: 'That his Grace was for 'landing on the back-ſide of the Iſland of *Cadiz*, and 'that now ſome of the Sea-Officers thought he was 'not in the wrong; That he was ſure there was no 'likelihood of getting into the Iſland any other 'Way; The Weather being ſo violently hot, that he 'could not march for want of Horſes and Carriages 'to eaſe the Officers and Soldiers, who had no Way 'of carrying their Proviſions, but upon their Backs. 'That the Enemy had about 700 Horſe, and kept 'within leſs than half a Mile of the Confederates 'Advanc'd Guards; who when they try'd to attack 'them, the *Spaniards* immediately retired, and it being

'being an open Country there was no coming at 'them with Foot. That Two Pieces of heavy 'Cannon, with Ammunition proportionable, was 'all that he could march with at a time; That 'he did not see his Declarations did the Confede-'rates any Good; some of the poor people that re-'ceived them, having been hanged for delivering 'them, and the General of the Coast having sent 'out a Proclamation to forbid any *Spaniard* to have 'any Communication with them, upon Pain of 'Death; so that all the Towns the Land Forces 'came at, were abandon'd, which was of very 'ill Consequence; for the Soldiers finding the 'Houses furnish'd, and Wines in the Cellars, com-'mitted Disorders that could not be prevented.

The same Day the Duke of *Ormond* received a Letter from Admiral *Hopson*, importing, 'That 'Sir *George Rook*, (having that Morning received a 'Letter from Sir *Stafford Fairborn*) had command-'ed him (Admiral *Hopson*) to give his Grace his 'Opinion, That the taking of *Matagorda Fort* 'would not at all facilitate their Entrance into the '*Puntals* with their Ships; in regard they must 'have both sides clear, and a considerable Time to 'work away the sunken Ships and other Impedi-'ments the Enemy had laid to it. Neither would 'it, in his Opinion, contribute any thing to the 'main Service of reducing the Town, which no-'thing, he thought, could bring to a Period, but 'the landing a considerable part of the Forces in 'the Island, to keep those in the Town, who with 'the Fright of a Bombardment would desert it; 'whose Clamours join'd with the Power of those 'who might be affected to the Confederates Cause, 'might possibly oblige the Governor to a Capitu-'lation; Though if the Treatment their Friends 'and their Effects had met with at *Port St. Mary*'s, 'contrary to his Grace's Declaration, and all Faith 'and Justice, had reached their Ears, his Grace 'must expect they would all join as one Man, and

'oppose

'oppoſe all Attempts that ſhould be made upon 'them by his Grace or the Fleet.

In anſwer to this Letter, the Duke of *Ormond* wrote to Sir *George Rook*, 'That his Opinion was, 'That the reſt of the Army ſhould march to en-'deavour to poſſeſs themſelves of the *Matagorda*, 'and from thence to St. *Pedro*, where his Grace 'deſign'd, if Sir *George* could furniſh him with Boats, 'to make a Bridge over into the Iſland of *Cadiz*, 'and withal furniſh them with neceſſary Proviſi-'ons there: To which his Grace deſir'd the Admi-'ral's ſpeedy Anſwer.

Thereupon a Council of the Flag-Officers was immediately call'd, wherein it was reſolved, 'That 'they ſhould ſend to the River at St. *Pedro*, as ma-'ny long Boats as would compleat a Bridge for 'tranſporting the Army, with ſuch a Quantity of 'Proviſions for the Army, as his Grace the Duke 'of *Ormond* ſhould deſire, ſo ſoon as the Army 'ſhould be at that Place to ſupport and make uſe 'of the ſaid Boats: And that each Boat ſhould 'carry Ten Deal Boards and a Carpenter to make 'them uſeful for that purpoſe. The ſame Day the Duke of *Ormond* went to view the Forces under Baron *Sparr*, and found them breaking Ground with-in half a Mile from the *Matagorda* Fort.

On the 1ſt of *Sept.* at a Council of War of General Officers, held at *Santa Victoria*, it was agreed, That the following Propoſal ſhould be ſent to the Admiral: 'That in caſe the Army ſhould come to '*Port-Royal*, and upon trying to paſs into the Iſland, 'between the Bridge of *Suaco* and St. *Pedro*, ſhould 'find that impracticable, and that the Army ſhould 'be obliged to come to the Mouth of the River '*Xeres*, where Baron *Sparr* debarked on board the 'Fleet, whether any one of the Admirals would 'undertake to carry 'em thither.

On the 2d of *Sept.* Brigadier *Seymour* having delivered to Sir *George Rook*, the Land Officers Propoſal, a Council of Flag Officers was immediately called aboard the *Royal Soveraign*. Their Opinion was,

was, 'That if the Winds came out, as might be 'expected from the approaching Seaſon of the 'Year, on the Sun's paſſing the Equator, that nei-'ther the Horſe nor Artillery could be embarked 'from the Mouth of the River *Xeres* on *Port* St. '*Mary*'s, without the greateſt Hazard and Difficulties. 'But they judged by the convenience of the Mold 'at *Rota*, that that Place might be the ſafeſt and 'propereſt for Embarking the ſaid Horſe and Artil-'lery: And they alſo judged an Undertaking of this 'kind to be foreign from the Buſineſs of any Ad-'miral, doubting that whenever bad Weather hap-'pen'd, they would have more than ſufficient Em-'ployment to perform their Duty in ſecuring their 'reſpective Squadrons and Diviſions: Though if 'the Weather was fair when the Embarkment was 'made, there ſhould be a Flag Officer and Captain 'ordered to adviſe and aſſiſt in that Service. The ſame Day his Grace viewed once more the Trenches before the *Matagorda*, againſt which the Ingineers began to play with a Battery of Four Guns, and a Detachment of 800 Men was ſent to Reinforce Ba-ron *Sparr*. On the 3d of *Sept.* at a Council of Land General Officers, it was reſolved, 'That a Copy 'of Yeſterday's Council of War of Flag-Officers, 'ſhould be ſent to Baron *Sparr*; upon which Reſo-'lution of theirs, it was not thought fitting the 'Army ſhould march from *Sta. Victoria* till the *Ma-'tagorda* was taken.

The Governor of *Cadiz* rightly conjecturing that the Preſervation of that City, did, in a manner, depend upon the keeping of the *Matagorda*, put the moſt reſolute of his Men into it; and at the ſame time Eight *French* Gallies, and Three *French* and Four *Spaniſh* Men of War kept continual Firing, with near an Hundred Cannon, on the Trenches of the Allies, which were Two Foot deep in Mud and Water. Beſides theſe Difficulties, the Battery of the Confederates, which was raiſed on a Moraſs, (without any *Madriers* or Faſcines to ſupport it) happening to ſink, and the Engineers having de-

clared

clared that they could not carry on the Attack with Succeſs, it was thought fit to retire, with the Loſs only of Thirty Two Men killed, and Thirty Three wounded. The ſame Day (being the 5th of *Sept.*) a Party of *Spaniſh* Horſe made bold to attack a ſmall Party of *Engliſh* Dragoons , who behaved themſelves ſo Gallantly, that they put the Enemy to Flight, having wounded and taken an Officer and Two Men with their Horſes: And on our ſide we had a Cornet and a private Man killed, and a Lieutenant taken, whom the *Spaniards*, againſt all the Laws of Nations and Arms, moſt Barbarouſly Cut in Pieces.

The 6th of *Sept.* Baron *Sparr*, with his Detachment, returned to the General Quarter at *Sta. Victoria*, having firſt ſet Fire to the Magazine at *Port-Royal:* And though two Perſons were arrived from *Madrid*, by the Way of *Faros* in *Portugal*, with Advice, That the Admirante of *Caſtile* and ſeveral other Grandees of *Spain*, with their Retainers, were ready to declare for the Emperor: And tho' Three Ambaſſadors from the Emperor of *Morocco* were arrived to offer his Grace their Maſter's Aſſiſtance, on condition that the Kingdom of *Grenada* ſhould be yielded to the *Moors :* Yet little dependence being to be made on the firſt; and the Terms of the latter not to be accepted: Beſides, the *Spaniſh* Army encreaſing a-pace, many of the Confederates dying daily of the Bloody-Flux; Proviſions growing ſcarce with the reſt, and the Admiral alledging, That the Seaſon was ſo far advanced, that he could not tarry much longer in thoſe Seas, without apparent Danger to Her Majeſty's Navy: All theſe Reaſons , being conſidered, his Grace (though otherwiſe willing to Winter in *Spain*, and not to return Home without having done ſome ſignal Action) was forced to comply with Neceſſity; and to give his Orders for a Retreat. Accordingly on the 12th of *September*, the Land Forces ſtruck their Tents, and lay at their

their Arms, which being obſerved by the Enemy, they drew up as if they would attack the Confederates, who ſtanding firm to receive them, the *Spaniards* contented themſelves to make ſeveral random Shots at them; two of which wounded, one, Mr. *Rabiniere*, the Lord *Shannon*'s Lieutenant Colonel, and the other, Captain *Daveniſh*. The next Day in the Morning, the Confederates began their March from *Santa Victoria*, towards *Rota*, the *Spaniards* keeping them Company all the way, and firing many ſmall Shot amongſt them, but to no other effect: And though they had 1200 Horſe, and Foot in proportion, yet the diſpoſition made by his Grace was ſo good, that it ſtruck a Terror into them, and made them keep at a diſtance. About Ten a Clock, as the Confederates Marched, a Signal was given, by which St. *Catherine*'s Fort was blown up, and entirely demoliſhed; (the Braſs Guns having been taken away, and the reſt ſpik'd up) and about four in the Afternoon, after a reſolute March, his Grace, with the Army, arrived at *Rota*, without the Loſs of one Man; though many fainted and tired by the way, who were carried off in Boats. Marching along the Strand at *Rota*, his Grace was received by Colonel *Newton*, who with his Garriſon of 300 Men had very well Barricaded the Avenues, but nevertheleſs was often allarmed by the Enemy. The 14th and 15th were ſpent in ſhipping off Part of the Forces, and on the 16th over Night, Orders were given, That the Boats from the Fleet ſhould rendezvous at *Rota*, by break of Day, which was the time of Flood, to take on Board the Remainder of the Army; That the youngeſt Regiment ſhould march firſt; That the Rear-Guard ſhould be compoſed of the *Engliſh* Grenadiers, commanded by Colonel *Fox*, Lieutenant-Colonel *Pierce*, and Major *Negus*: And that the Company of Grenadiers of the Guards, that were poſted at the Wind-Mill, ſhould cloſe the Rear, and as they Marched make good the Batteries, and ſet Fire to all the Combuſtible Stuff they ſhould

ſind on purpoſe to cover their Retreat. The 17th towards Noon, the Army being near embarked, Orders were ſent to Colonel *Fox*, to form the Rear-Guard and March, which was ſoon done; and after halting a little while in the Street for Colonel *Pierce*, who was poſted juſt without the Town, they then continued their March till they came to the Market-place, where they were forced to ſtay about an Hour, till the reſt of the Troops were aboard. During this ſecond Halt, Colonel *Fox* had Notice ſent him, That the *Spaniards* were forcing through the Barrier at St. *Lucar*'s Port, which Colonel *Rook* (whoſe deſire it was to ſtay with the Rear-Guard) perceiving, he immediately got leave of Baron *Sparr*, to head a Party of the *Dutch*, that happened not to be Marched, and to be neareſt the Port. No ſooner had the *Hollanders* made their Diſcharge, but the Enemy gave way; and juſt as Colonel *Rook* had got to the Port, he met Colonel *Pierce* with another Detachment from the Market-Place to ſuſtain him. Thereupon Colonel *Pierce* ordered his Men to climb to the Top of the Port, to clear the Street on the other ſide, which they did effectually, and regained the Barrier, whilſt the *Dutch* Marched down to the Water-ſide, to embark, and the reſt to join Colonel *Fox* in the Rear. In this Diſpute there was only five Soldiers killed, and as many wounded (with the Splinters of the Grenadoes) on the Confederates ſide, and about Six or Seven *Spaniards* lay dead on the other ſide of the Port, and amongſt them an Officer of Note. As ſoon as the *Engliſh* that cloſed the Rear were got into their Boats, a Regiment of *French* Foot fired briskly at them, but without hurting any Body; and thus by the good Diſpoſition wiſely contriv'd by the Duke of *Ormond*, and prudently managed by Colonel *Fox*, the Land-forces made a ſafe Retreat, in ſight of a numerous and enrag'd Enemy. After all the Men were got on Board the Fleet, a Flag of Truce was ſent a-ſhoar, to offer the *Spaniards* the Priſoners we had taken, and demanded thoſe they

they had made; but they refus'd to receive theirs, ſaying, *They might keep to the* Engliſh, *as not being good Subjects to the King of* Spain. The Alcayde of *Rota* being apprehenſive, that ſhould he continue there, he ſhould be put to Death for Surrendring that Place to the Allies, deſir'd his Grace to take him on Board, and carry him to *England*, with his Kinſman, who was the Confederates Guide from *Rota*, to Port St. *Mary*'s, which his Grace did Generouſly Grant. The ſame day a Council of War was call'd on Board the *Ranelagh*, where the Duke of *Ormond* was, for all the General Land Officers; and another on Board the *Soveraign* for the Flag Officers. Theſe Conſultations were held purſuant to the Inſtructions lately receiv'd from *England*, whereby the Queen left it to the Prudence of the Commanders in Chief, either to Winter in ſome Port of *Spain*, with the Land Forces, and part of the Fleet, or to return Home, after having made a Detachment for the *Weſt-Indies*: The Duke of *Ormond* warmly inſiſted on the firſt, and the Prince of *Heſſe D' Armſtadt* propos'd the Town of *Vigo*, as having a very Commodious Harbour, and being ſeated in the moſt plentiful corner of all *Spain*; but Sir *George Rook*, and moſt of the Sea-Officers, who knew nothing (no more than any Body aboard the Fleet) of Monſieur *Chateaurenaud*'s being arriv'd at *Vigo*, with the *Spaniſh* Galeons, were of Opinion, that it was more for Her Majeſty's and the Nations Service, to ſend a Reinforcement to Admiral *Bembow*; having Reaſon to ſuppoſe that the *French* had a very formidable Force in that part of the World. After ſome Meſſages between his Grace and Sir *George Rook*, a general Council of Sea and Land General Officers, where after a long Debate, it was reſolv'd that the Fleet ſhould take the firſt opportunity to return to *England*: And having Detach'd a Squadron for the *Weſt-Indies*, with ſome Land Forces on Board the ſame, Sir *George Rook*, with the Grand Confederate Fleet, was returning Home; which News reaching *England*, it occa-

ſion'd a great ſurprize among all ſorts of People; nor was Her Majeſty's Concern upon this Diſappointment leſs than that of all Her Dutiful and Loving Subjects: However, by this time, having receiv'd Intelligence that Monſieur *Chateaurenaud* was put into *Vigo*, Her Majeſty preſently ſent away two Expreſſes; The one to Sir *George Rook*, with Orders to attempt the Taking or Deſtroying the *French* and *Spaniſh* Ships in the Harbour of *Vigo*: And the other to Sir *Cloudeſly Shovel*, then at *Portſmouth*, to Sail directly thither and meet the Grand Fleet: But Fortune in the mean time had Anticipitated Her Majeſty's Orders; for Sir *George Rook*, having ſent Three Men of War, and ſome Tranſports to Water in *Lagos*, they there got certain Intelligence, that the *Spaniſh* Galeons under a *French* Convoy of 22 Men of War, were then in the Harbour of *Vigo*, upon which, the *Pembroke*, Captain *Hardy* Commander, was Detach'd a-head to find out the Fleet, which after a difficult piece of Service he perform'd, and having acquainted Sir *George Rook* with his News, the ſame was imparted to the *Dutch* Admiral, between whom, it was immediately agreed and confirm'd by the Opinion of a Council of Flag Officers, to Sail directly to *Vigo*, and attempt the Taking or Deſtroying the Enemies Ships there.

According to theſe Reſolutions, the whole Fleet began to bend their courſe toward that Port, and the Admiral having ſent out ſome Frigats for Intelligence, they return'd with a confirmation of Captain *Hardy*'s Account; adding, that the *French* and *Spaniſh* Ships were hawled cloſe up in the River, into *Rodendella* Harbour, and having loſt no time in their Expedition, on the 11th of *October*, the Fleet Anchor'd before *Vigo*. The Day before, a Frigat from Sir *Cloudeſly Shovel* arriv'd in the Fleet, giving Sir *George Rook* an Account, that Sir *Cloudeſly* was off Cape *Finiſter*, and wou'd be ready to join him in a little time, whereupon the ſaid Frigat was ſent back with Orders to that Admiral to proceed directly to *Vigo*.

During

During this, the *French* Admiral dreading the Storm, had taken all imaginable precautions to ſecure his Ships: For he had not only carried them beyond a very narrow Streight, defended on each ſide by a Caſtle and Platforms, on which he had Planted the beſt Guns from his Men of War; but had likewiſe ſecur'd the Harbour with a ſtrong Boom, compos'd of Maſts, Yards, Cables, Top-chains, *&c.* about Three Yards in Circumference, and faſten'd by Anchors caſt on both ſides of it. Therefore it being concluded, that ſince the whole Fleet cou'd not attempt the Enemies Ships where they lay, without apparent Danger of running foul of one another, a Detachment of Fifteen *Engliſh* and Ten *Dutch* Men of War, with all the Fire Ships, ſhou'd be ſent in, with Orders to uſe their utmoſt endeavours to take or deſtroy the Enemies Ships; and that the great Ships ſhould move after them, and go in if there ſhould be occaſion: And that the Army at the ſame time, ſhould Land and attack the Fort on the South ſide of *Rodendella*; and ſo to do what other Services they found neceſſary to favour the Enterprize: That becauſe it was not known what depth of Water there might be, the ſmalleſt Ships ſhou'd go firſt, and to give the better Countenance to the Attempt, all the Flag Officers in the Fleet ſhould go in with the Squadron.

For the better Performance of theſe Reſolutions, Sir *George Rook*, ſpent almoſt the whole Night in going from Ship to Ship, in his own Boat, to give the neceſſary Directions, and to encourage both Officers and Sea-men to diſcharge their Duty. The next Day, the Duke of *Ormond* landed in a Sandy Bay, about two Leagues from *Vigo*, with near 2500 Men, on the South-ſide of the River, without any Oppoſition, and order'd the Grenadiers, under the Command of the Lord Viſcount *Shannon*, and Colonel *Pierce*, to march directly to the Fort that Guarded the Entrance into the Harbour where the Boom

lay, which they perform'd with great Alacrity and Courage: And his Grace himſelf at the Head of the reſt of the Forces, march'd on foot over craggy Mountains to ſuſtain the firſt Detachment. There appear'd, at the ſame time, about 8000 *Spaniſh* Foot between the Fort and the Hills, but they only made a feint ſhew of Skirmiſhing at a diſtance, and retir'd as the Grenadiers advanc'd; and the latter driving, likewiſe, before 'em another Party of the Enemy, follow'd them to the Fort, and made themſelves Maſters of the Lower Platform, on which were 38 Pieces of Cannon. Thereupon Lieutenant General *Churchill*'s Regiment advanc'd upon the Left, and took their Poſts as they ſaw moſt convenient. After the Batteries were taken, the Enemy retreated into an old Caſtle, or Stone Tower, and fired from thence briskly upon the *Engliſh* for ſome ſmall time; but the Grenadiers plying them warmly with their Hand Granadoes, and pelting them with their Fuzees, as ſoon as they appear'd on the Wall, Monſieur *de Sorel*, a ſtout *French* Captain of a Man of War, who Commanded in the Fort, having encourag'd his Men to make a deſperate Puſh for their Lives, open'd the Gate, intending to force his way through the *Engliſh* with Sword in hand; but the Grenadiers ruſhing immediately into the Caſtle, made themſelves Maſters of it, and took near 300 *French* Seamen, and 50 *Spaniards*, with their Officers, Priſoners at Diſcretion. A ſmall Party of the Enemy endeavour'd to make their Eſcape through the Water, but were ſtopt by a Detachment of the *Dutch*, headed by Captain *de Najac*, a *French* Proteſtant, who ſerv'd as Volunteer near his Grace the Duke of *Ormond*.

Nor were thoſe in the Fleet Idle Spectators of all this: For as ſoon as the Land Forces were got on Shoar, the Admiral gave the Signal to weigh, which was accordingly done, the Line form'd, and the Squadron was briskly bearing up the Boom: But when the Van was got within Cannon-Shot of the Batteries, it fell Calm, ſo that they were conſtrain'd

to

to come to an Anchor again. However, not long after it blowing a freſh Gale, Vice-Admiral *Hopſon*, in the *Torbay*, being next the Enemy, cut immediately his Cables, clapt on all his Sails, and bearing up directly upon the Boom, amidſt all the Enemies Fire, broke it at once, caſt Anchor between the *Bourbon*, *L' Eſperance*, (or *Hope*) two *French* Men of War, which Count *Chateaurenaud* had plac'd near the Boom, and with unparallel'd Reſolution receiv'd ſeveral Broad-ſides from them. The reſt of Vice-Admiral *Hopſon*'s Diviſion, and Vice-Admiral *Vandergoes* with his Detachment having weighed, at the ſame time, Sail'd abreaſt towards the Boom, to add the greateſt Weight and Force to the Shock; but being becalm'd, they all ſtuck, and were oblig'd to hack and cut their way through. A freſh Gale blowing again, the *Dutch* Admiral made ſo good uſe of it, that having nick'd the Paſſage which the brave *Hopſon* had made, he boldly went in, and made himſelf Maſter of the *Bourbon*.

All this while, Vice-Admiral *Hopſon* was in extream Danger: For, being clapt on Board by a *French* Fire-Ship, by which his Rigging was preſently ſet on Fire, he expected every moment to be Burnt. But it Fortunately hapned, that the *French* Veſſel which was a Merchant-Man, laden with Snuff, and made up in haſte into a Fireſhip, being blown up, the Snuff partly extinguiſh'd the Fire, and preſerv'd the *Engliſh* Man of War. However, Vice-Admiral *Hopſon* receiv'd conſiderable damage in this Memorable Action, for beſides the having his Fore-top-Maſt Shot by the Board, 115 kill'd and and drowned, and Nine wounded; moſt of his Sails were Burnt and Scorch'd; his Fore-yard Burnt to a Coal, and his Larboard and Shrouds Fore and Aft, Burnt at the Dead Eyes, inſomuch that he was forc'd to leave his own Ship, and hoiſt his Flag on Board the *Monmouth:* At the ſame time, Captain *Bokenham* laid his Broad-ſide againſt a Battery of Seventeen Guns on the other ſide the Harbour, ſo that for a while, there was nothing but

continual Firing on both ſides: Till the *French* Admiral, ſeeing the Platform and Fort in the Hands of the Victorious *Engliſh*, his Fireſhip ſpent in vain, the Boom cut in Pieces, and the Confederate Fleet pouring in upon him, he ſet his own Ship on Fire, and order'd the reſt of the Captains to follow his example; but they could not be ſo Expeditious, but that ſeveral of his Men of War, and Galeons were taken: Of Nineteen *French*, and Three *Spaniſh* Men of War, Six were taken, Five by the *Engliſh*, and One by the *Dutch*; and all the reſt Burnt or Sunk; and of Thirteen Galeons, (which carried from Twenty to Thirty Guns or more) Four were taken by the *Engliſh*, and Five by the *Dutch*; and all the reſt deſtroy'd: And this great Service perform'd with inconſiderable loſs. The *French* indeed, had put on Shoar ſome of the Plate and Goods, yet the Booty got by the Confederates was conſiderable; of which, the Officers, Soldiers and Sailors came in for a Share.

After this Action, the Duke of *Ormond* March'd the ſame Night to *Rodendella*, of which Place he took Poſſeſſion without any oppoſition, moſt of the Inhabitants being fled; and though great Bodies of the *Spaniards* drew together on a Mountain, yet ſeeing the Confederates in ſo good a Poſture to receive them, they durſt never venture to attack them. Here his Grace found a conſiderable quantity of Plate belonging to *French* Officers, which he caus'd to be diſtributed among the Officers of his own Troops: nor did the common Soldiers miſs a very good ſhare of the Plunder. From whence his Grace acquainted Sir *George Rook* with his deſign of Marching to *Vigo*, and attacking that Place, and afterwards to maintain himſelf all the Winter in *Spain*; but upon the Admirals repreſenting the difficulty of that Enterprize, it was wholly laid aſide.

On the 16th of *October*, Sir *Cloudeſly Shovel* with about Twenty of Her Majeſty's Ships join'd the Grand Fleet: On the next Day, the Duke of *Ormond*

mond March'd from *Rodendella* with the Land Forces, and Embark'd: And on the 19th of the ſaid Month, Sir *George Rook*, with Vice-Admiral *Hopſon*, and Ten Sail more of Her Majeſty's Ships, beſides Tenders and Tranſports, Sail'd from *Vigo* Harbour for *England*; leaving behind Admiral *Shovel*, Rear-Admiral *Fairborn*, and Rear-Admiral *Graydon* with 27 *Engliſh* Men of War, beſides Fireſhips and Tenders, and the *French* and *Spaniſh* Prizes, which when fitted they were to Convoy Home, after having totally deſtroy'd the reſt of the Ships the Enemy had run aſhoar, and Demoliſh'd the Fort the Forces had taken upon their firſt Landing.

The News of this Signal Victory and Advantage, was firſt brought to *England* by the Lord *Shannon*, and Captain *Thomas Hardy*, both which, Her Majeſty very Liberally Rewarded, and beſtow'd the Honour of Knighthood upon the latter. And now, having brought the Scene to *England*, we ſhall have a little leizure to attend the Progreſs of Affairs there. Accordingly, on the 20th of *October*, the Parliament met at *Weſtminſter*, and having made an Unanimous Choice of their former Speaker, (*Robert Harley* Eſq;) Her Majeſty the next Day came to the Houſe of Lords, and having approv'd the Commons Election, ſhe made the following Speech to both Houſes:

My Lords and Gentlemen,

IT is with great Satisfaction I meet this Parliament, which I have Summon'd to Aſſiſt Me in Carrying on the Juſt and Neceſſary War in which We are Engaged; I have call'd You together as early as was conſiſtent with your Convenience in coming out of your ſeveral Countries; and I aſſure My Self of ſuch Evidences of your Affection to Me, and of your Zeal for Our Common Cauſe, as will not only give Spirit and Forwardneſs to Our own Preparations, but ſuch Example and Encouragement to our Allies, as, by God's Bleſſing, cannot fail of a Good Effect, for the Advantage of the whole Confederacy. I have

I have met with so many Expressions of Joy and Satisfaction in all the Countries, through which I have lately had Occasion to pass, that I cannot but look upon them as true Measures of the Duty and Affection of the rest of My Subjects.

Gentlemen of the House of Commons,

I must desire you to grant Me such Supplies, as will Enable Me to Comply both with our particular Treaties and Engagements already made, and such others as may be necessary for the Encouragement of our Allies, and the Prosecuting the War, where it shall most sensibly affect our Enemies, and be most effectual for disappointing the Boundless Ambition of France.

And that My Subjects may the more Cheerfully bear the necessary Taxes, I desire you to inspect the Accounts of all the Publick Receipts and Payments; and if there have been any Abuses or Mismanagements, I hope you will Detect them, that the Offenders may be Punisht, and others be Deterred by such Examples from the like Practices.

I must observe to you with some Concern, That the Funds given by the last Parliament, have in some Measure, faln short of the Sums propos'd to be Rais'd by them; and though I have already Paid and Apply'd to the Publick Service the Hundred Thousand Pounds, which I promis'd to the last Parliament, yet it has not supply'd that Deficiency.

My Lords and Gentlemen,

I cannot without much Trouble take notice to you of the Disappointment We have had at Cadiz: *I have not yet had a particular Account of that Enterprize, nor of all the Difficulties our Forces may have met with there; but I have had such a Representation of Disorders and Abuses committed at Port St.* Mary's, *as hath obliged Me to give Directions for the strictest Examination of that Matter.*

I am earnestly desirous, for all Our Sakes, that this may prove a short Session; however, I hope you will find time to Consider of some better and more effectual

Method

Method to prevent the Exportation of Wooll, and to Improve that Manufacture, which is of great Conſequence to the whole Kingdom; on My Part nothing ſhall be omitted for its Encouragement.

I am firmly perſwaded, that the Love and good Affection of My Subjects is the ſureſt Pledge of their Duty and Obedience, and the trueſt and juſteſt Support of the Throne; and as I am Reſolv'd to Defend and Maintain the Church as by Law Eſtabliſh'd, and to Protect you in the full Enjoyment of all your Rights and Liberties; ſo that I Rely upon your Care of Me, My Intereſts and yours are Inſeparable; and My Endeavours ſhall never be wanting to make you Safe and Happy.

To which Speech Her Majeſty receiv'd the Dutiful and Thankful Addreſſes of both Houſes, who immediately fell upon Buſineſs; And on the 27th following, Unanimouſly Voted a Supply to Her Majeſty, for the Service of the Year enſuing. Two days after, Her Majeſty having Graciouſly accepted of an Invitation from the Lord Mayor and Court of Aldermen, did the City the Honour to Dine with them on the Lord Mayor's Day: Where ſhe was attended by all the great Officers of the Court, and a Numerous Train of Nobility and Gentry in their Coaches, and receiv'd all Demonſtrations of the City's Loyalty and Affection to Her Majeſty's Perſon and Government.

On the 2d of *November*, a Complaint was made to the Houſe of Commons, by Sir *John Packington*, againſt the Biſhop of *Worceſter* and his Son Mr. *Lloyd*, relating to the Rights and Priveledges of that Houſe, and the ſame being heard, it was order'd to be taken into Conſideration the 18th following: The ſame day a Motion being made, and the Queſtion put, That Right had not been done the Commons upon the Impeachments before the Lords, brought againſt divers Peers in the 13th Year of his late Majeſty's Reign; it was carried in the Affirmative by 189 Voices, againſt 81, who maintain'd the Nega-

Negative. The next thing of Moment the Houſe Proceeded to, was, The bringing in a Bill for preventing Occaſional Conformity; And order'd that Mr. *Bromley*, Mr. *St. John*, and Mr. *Anneſly* ſhou'd bring in the ſaid Bill: And likewiſe, order'd that an Addreſs ſhou'd be preſented to Her Majeſty, that She would be pleas'd to give Directions for Copies of the Treaties relating to the War to be laid before the Houſe: That the Pay-Maſter General of the Army, and Secretary of War, ſhould lay before them an Account of the Charges of the Forces in Her Majeſty's Pay for the Year 1702, and alſo an Eſtimate of the Charges of the Land Forces for the Year 1703. That the Council of Prince *George*, Lord High Admiral of *England*, ſhould lay before the Houſe the State of the Debts, and an Account of the the Monies Iſſued for the uſe of the Navy; and laſtly, That the Lieutenant, Principal Officers of the Ordnance, ſhould lay before them a State of the Debts of the Office of Ordnance, and an Account of the Money receiv'd for the Year 1702. Mr. Secretary *Hedges* alſo Preſented the Commons, the Copies and Tranſlations of ſeveral Treaties made with Her Majeſty's Allies, which being read, as likewiſe the Account and Eſtimate laid before them, the Houſe in a Grand Committee, conſider'd the Supply granted to Her Majeſty, and Unanimouſly reſolv'd, That the proportion of Land Forces to act in Conjunction with the Allies, to make good Her Majeſty's Alliances, ſhould be 40000 Men, conſiſting of 33000 Foot, and 7000 Horſe and Dragoons; and reſolv'd that the Summ of 350000 *l.* ſhould be Granted to Her Majeſty for Maintaining the Guards and Garriſons, for the Year enſuing. Including 5000 Men to ſerve on Board the Fleet, and the Summ of 70973 *l.* for the Office of Ordnance; and three days after, reſolv'd that 833826 *l.* ſhould be Granted Her Majeſty for 40000 Land Forces, and 51843 *l.* for the Payment of Her Majeſty's proportion of the Subſidies to Her Allies; which Reſolutions were agreed to next day by the whole Houſe, who

who at the ſame time, did Unanimouſly Vote their Thanks to the Duke of *Ormond*, and Sir *George Rook* for the Signal Services they had perform'd both by Sea and Land, and reſolv'd that an Addreſs ſhould be preſented to Her Majeſty the next Day, Congratulating the Publick Bleſſing in the Recovery of Her Royal Conſort, who had for ſome days before been very dangerouſly Ill: Which Addreſs Her Majeſty receiv'd very Graciouſly, and return'd the Houſe Thanks for their kind Expreſſions therein, both to her ſelf and the Prince. Her Majeſty having ſome Days before receiv'd the Humble Addreſs of the Arch-Biſhop, the Biſhops, and the reſt of the Clergy of the Dioceſs of *Canterbury*; was pleas'd to Anſwer as follows:

My Lords, and you the Clergy of the Convocation, *YOUR Zeal for the Church of* England, *as by Law Eſtabliſh'd, is very pleaſing to me; I will always endeavour to preſerve it in its Doctrine and Diſcipline, and take Care of all your Juſt Rights and Priviledges. I hope your Concurrence in this very Dutiful Addreſs, is a good Preſage of your Union in all other Matters, which is very deſirable for my Service and Wellfare of the Church.*

On the 12th of *November*, the Day appointed by the Queen's Proclamation for a General Faſt, Her Majeſty attended by both Houſes of Parliament, the Great Officers of State, the Judges, and other Publick Miniſters, went to the Cathedral of St. *Pauls*, to return Thanks for the Great and Signal Succeſs, with which it had pleas'd God to favour Her Majeſty's Arms, both by Sea and Land; which day was obſerv'd with all the Solemnity and Publick Demonſtrations of Joy that cou'd be thought on.

The next day following, the Duke of *Ormond* being come to the Houſe of Lords, the Lord Keeper return'd his Grace Thanks in the Name of the Peers for his Signal Services perform'd at *Vigo*: At which time,

time, the Lords alſo order'd an Addreſs to be preſented to the Queen, that ſhe would be pleas'd to order the Duke of *Ormond* and Sir *George Rook* to lay before them an Account of their Proceedings in the late Expedition; which Her Majeſty having thought fit to comply with, the Duke of *Ormond* accordingly laid his Journal before the Lords.

The Commons were buſie in the mean time, upon Ways and Means for raiſing the Supply Granted to Her Majeſty, and having made ſeveral Reſolutions therein, they read a ſecond time, the Bill *for preventing Occaſional Conformity*; and committed the ſame to a Committee of the whole Houſe, when a Motion being made, and the Queſtion put in the following Terms.

That the ſaid Committe have Power to receive a Clauſe for the Exempting Diſſenters from ſuch Offices, as cannot by Law be Executed without receiving the Sacrament according to the uſage of the Church of England: It paſs'd in the Negative.

The next day, the Commons proceeded to take into Conſideration the Complaint of Sir *John Packington*, againſt the Biſhop of *Worceſter* and Mr. *Lloyd* his Son; Sir *John*, in his Place, acquainted the Houſe, 'That he had reduc'd the Matter of the ſaid 'Complaint into ſeveral Heads. Which he having read, and the Witneſſes to the reſpective Heads being ſeverally call'd in, and examin'd, the Houſe did Unanimouſly Reſolve, 'That Sir *John Packington* 'had, by Evidence, fully made out the Charge 'which he exhibited againſt the Lord Biſhop of '*Worceſter*; That it appear'd to the Houſe, that the 'Proceedings of *William* Lord-Biſhop of *Worceſter*, 'his Son, and his Agents, in order to the hindering 'the Election of a Member of the County of *Wor-*'*ceſter*, had been Malicious, Unchriſtian and Ar-'bitrary, in high Violation of the Liberties and 'Privileges of the Commons of *England*; That 'an Humble Addreſs be preſented to her Majeſty, 'that ſhe would be Graciouſly pleas'd to remove '*William* Lord Biſhop of *Worceſter*, from being

'Lord

'Lord Almoner to Her Majeſty; and order'd Mr. 'Attorney General to proſecute Mr. *Lloyd* the Bi-'ſhop of *Worceſter*'s Son, for his ſaid Offences, after 'his Priviledge as a Member of the Lower Houſe 'of Convocation was out.

The Lords, alarm'd at this warm Proceeding of the Commons, againſt a Member of their Illuſtrious Aſſembly, and one who was eminently Conſpicuous for his Piety, Charity and Learning, did on the 19th agree upon an Addreſs to the Queen, wherein they Humbly took leave to Repreſent to Her Majeſty, 'That it is the undoubted Right of 'every Lord of Parliament, and of every other 'Subject of *England*, to have an opportunity of ma-'king his defence before he ſuffer any ſort of Pu-'niſhment; and therefore humbly deſir'd her Ma-'jeſty, That ſhe would be pleaſed not to remove 'the Lord Biſhop of *Worceſter*, from the Place of 'Lord Almoner, nor to ſhew any Mark of her 'Diſpleaſure towards him, till he be found Guilty 'of ſome Crime, by the due Courſe of Law. Which being preſented to the Queen on the 20th, her Majeſty made the following Anſwer.

I *Agree that every Peer and Lord of Parliament, and indeed every other Perſon, ought to have an Opportunity of being heard, to any Matters objected againſt him, before he be puniſhed.*

I have not yet receiv'd any Complaint of the Biſhop of Worceſter; *but I look upon it as my undoubted Right to continue or diſplace any Servant attending upon my own Perſon, when I ſhall think proper.*

The ſame Day the Lords reſolv'd and declar'd unanimouſly, 'That no Lord of that Houſe ought to 'ſuffer any ſort of Puniſhment, by any Proceedings 'of the Houſe of Commons, otherwiſe than ac-'cording to the Known and Ancient Rules and Me-'thods of Parliament.

On the other hand, Sir *Edward Seymour*, Comptroller of her Majeſty's Houſhold, having attended the

the Queen with the Reſolution and Addreſs of the Commons, for the removing the Biſhop of *Worceſter* from being Lord Almoner to Her Majeſty, ſhe was pleaſed to Anſwer, 'That ſhe was very ſorry 'that there was occaſion for this Addreſs againſt 'the Biſhop of *Worceſter*; That ſhe would Order 'and Direct that he ſhould no longer continue to 'ſupply that Office. For which Anſwer the Houſe return'd Her Majeſty their moſt Humble Thanks.

On the 28th of *October*, the Commons read a third time the Bill, *For preventing Occaſional Conformity*, and ſent it to the Lords for their Concurrence: And the 1ſt of *December* following, Voted the Yearly Summ of 100000 Pounds to be ſettled upon his Royal Highneſs Prince *George*, purſuant to the Meſſage they had receiv'd from Her Majeſty ſome time time before.

About the ſame time, Her Majeſty was pleas'd to declare in Council, *That ſhe was ſo well ſatisfied with the Eminent Services of the Duke of* Marlborough, *that ſhe deſign'd to make him a Duke*, and quickly after ſent a Meſſage to the Houſe of Commons in his Favour; *for ſettling a Penſion of* 5000 l. *a year upon him, out of the Revenue of the Poſt-Office*; which meeting with ſome Obſtruction in the Houſe, Her Majeſty thought fit to decline it for the preſent.

Her Majeſty, having by the Power granted her by Parliament, Nam'd the Commiſſioners to Treat of an Union between *England* and *Scotland*, they had their firſt Meeting the 22d of *Octob.* at the *Cock-pit*, and having by Mutual Conferrences adjuſted the Preliminaries, Her Majeſty, to make things go on more ſmoothly on both ſides, was pleas'd to make the following Speech to the Commiſſioners of both Nations:

My

My Lords,

I am ſo fully perſwaded, that the Union of my two Kingdoms will prove the Happineſs of both, and render this Iſland more formidable than it has been in Ages paſt: That I wiſh this Treaty may be brought to a good and ſpeedy Concluſion. I am come to know what Progreſs you have made in it; and I do aſſure you nothing ſhall be wanting on my part to bring it to Perfection.

The Proceedings, having been read, Her Majeſty return'd very well ſatisfied with what had been done; of which Affair we ſhall have occaſion to ſpeak more at large of hereafter, and ſhall now return to the Proceedings of the *Engliſh* Parliament.

On the 9th of *December*, the Lords paſs'd the Commons Bill, *For preventing Occaſional Conformity*, with ſeveral Amendments, and ſent it back: But being apprehenſive, that the Commons would not give their Concurrence to thoſe ſaid Amendments, and might, as they had done on other occaſions, Tack the ſame to ſome Money Bill; their Lordſhips made a Vote, *That the Annexing any Clauſe to a Money Bill, was contrary to the Conſtitution of the* Engliſh *Government, and the uſage of Parliament*: And order'd the ſaid Vote to be added to the Roll of the ſtanding Orders of their Houſe. The Commons on their Part, having read the Lords Amendments, agreed to ſome of them, and diſagreed to others; and Three days following, appointed a Committee to draw up Reaſons to be offer'd at a free Conference with the Lords; which they deſir'd Five days afterwards, and to which the Lords having readily conſented, the Mannagers for the Commons deliver'd their Reaſons, and left the Bill with their Lordſhips.

On the 8th of *January*, the Lords ſent a Meſſage to the Commons, to deſire a free Conference in the Painted Chamber, upon the Subject Matter of the laſt Conference: Where the Managers of the Commons having met their Lordſhips accordingly, the Lords inſiſted upon all their Amendments, which being reported to the Commons, and the ſame being

taken into consideration the 11th of *January* following, The Question was put, *That the House should insist upon their disagreeing with the Lords in the said Amendments*, And it was carried in the Affirmative: whereupon, it was resolv'd, That a free Conference shou'd be desir'd with the Lords, to which their Lordships freely consented, and appointed the same to be the 16th of the same Month; at which time both Houses met.

The Free Conference was begun by the Managers of the House of Commons, who acquainted the Lords, 'That the Commons had agreed to the Addition of Words their Lordships had made to the Commons Amendments to the Lords Amendment; but insisted on their Disagreement to the Lords other Amendments, and to their Lordships Clauses, and therefore had desir'd this Free Conference with the Lords, in order to preserve a good Correspondence between the two Houses. That the intent of this Bill for preventing *Occasional Conformity*, was only to restrain a very Scandalous Practice, which is a Reproach to Religion, gives offence to all good Christians, and to the *Best* among the *Dissenters* themselves. That this Bill Enacted nothing *NEW*; and was only intended to make the Laws in Being more effectual. That those Laws were thought sufficient to secure our Establishment; but since the Invention and Iniquity of Men had found out ways to elude them, the Commons could never doubt, but the Lords would let those Men see, they would not be wanting on their part to maintain and support it. That this Bill appeared to the Commons absolutely necessary for the preventing those Mischiefs which must prove destructive to the Church and Monarchy. That the Commons were incapable of having any designs they were asham'd to own; and as they design'd nothing but the Preservation of the Church of *England*, and the Monarchy, so they doubted not to meet with a ready Concurrence from the Lords in these

'designs

' designs. That an Eſtabliſh'd Religion; and a
' National Church are abſolutely neceſſary, when
' ſo many *Ill* Men pretend to Inſpiration, and when
' there are ſo many *Weak* Men to follow them. That
' if a National Church be neceſſary, the only ef-
' fectual way to preſerve it, is, by keeping the Ci-
' vil Power in the Hands of thoſe whoſe Practices
' and Principles are Conformable to it. That
' when the *Corporation-Act* was made, the Parlia-
' ment had freſh in their Minds the Confuſions and
' Calamities that had been brought upon the Nation,
' by ſuch as pretended to be at the ſame time in the
' true Intereſt of Religion, and of their Country.
' That the Parliament by that Act, and afterwards
' by the *Teſt-Act*, thought they had ſecur'd our
' Eſtabliſhment, both in Church and State; and
' that they had provided a ſufficient Barrier to de-
' feat and diſappoint any Attempts againſt them,
' by Enacting, That all in Offices ſhould receive
' the Sacrament of the Lords Supper, according to
' the Rites and Uſage of the Church of *England*,
' and never imagin'd a Set of Men could at any
' Time riſe up, *Whoſe Conſciences were too tender to*
' *obey the Laws, but harden'd enough to break them.*
' That as, upon the *Revolution*, the laſt Reign be-
' gan with an Act in favour of the Diſſenters, ſo
' the Commons did deſire in the beginning of Her
' Majeſty's Auſpicious Reign, an Act might paſs in
' Favour of the Church of *England*; that the Laws
' which had been evaded, might now be effectually
' enforc'd, and *That thoſe Men might be kept out of*
' *Offices, who have ſhewn they never wanted the Will,*
' *when they had Power, to deſtroy the Church.* And
' that nothing had been more Miſrepreſented than
' this Bill, which did not, in any reſpect, intrench
' on the Act of Toleration, or take from the Diſſen-
' ters any one Priviledge they have by Law; or give
' any one Priviledge to the Church of *England*,
' which was not (at leaſt) intended her by the
' Laws, as they now ſtand.

Then advancing to Particulars, the Managers of

the Lower House told the Lords, 'That the Commons insisted on their Disagreement to the second and third Amendment made by the Lords in the Preamble of the Bill, and on their Disagreement to the fourth Amendment; and argued, That a Preamble is to declare the Occasion of making a Law; That it is no Law, but if it be proper to the Enacting Clause, it is a proper Preamble, that the Propositions advanc'd in this Preamble, are these, That whatsoever Persons are Enacted to Qualifie themselves, the Laws intended should be Conformable to the Church. That if the Laws provide they shall receive the Sacrament, and by that intend a Conformity, then, whosoever breaks the intention of the Law, breaks the Law, or at least evades the Law, and it is fit to provide against such Practice. That if it be fit the Corporation Clause should stand in the Body of the Bill, the Lords Reason for the Amendments in the Preamble, will not be of weight. That the Preamble mentions such Persons and such Offices, which must be the Persons and the Offices the Act relate to, and can be no other. That the word *Enacting* can be only understood of the Laws that do so Enact; and being Relative, is still more Plain and Necessary. That however, if the Lords had pleased, they might, by a very little Amendment, have obviated the Objection they make to these Words, by changing every Person into several Persons, which would have reconciled them to the most rigid Construction: As to the 5th Amendment of the Lords, to which the Commons Disagreed, they argued, that the Words in the *Test-Act* are more general and uncertain than those in the *Corporation-Act*, which they cited and compared. That the Words in the *Corporation-Act* have been there more than Forty Years, without any Inconveniency from them, or any Complaint against them for their being too general and uncertain. That the Inducements for passing the Corporation-Act, according to the Preamble,

'were

'were, *That a Succeſſion in Corporation might be perpetuated in the Hands of Perſons well affected to the Publick Peace, both in Church and State.* That theſe were the Purpoſes the Commons deſigned in the paſſing this Law. That theſe Purpoſes the Commons know the Lords will with them own are very proper to be attain'd, and that the Commons can at no time diſown, becauſe they can at no time have any other. That the Lords agree this Bill ſhould relate to Officers in the Teſt-Act, becauſe the Law intends thoſe Officers ſhould be Conformable; and if the intention of that Law be the Reaſon to provide againſt ſuch Evaders of it, the like intention in the Corporation-Act will ſerve for a Reaſon to provide againſt the Evaders of the Corporation-Act. That by Occaſional Conformity the Diſſenters may let themſelves into the Government of all the Corporations; and it is obvious how far that would Influence the Government of the Kingdom. That to ſeparate from a Church which has nothing in it againſt a Man's Conſcience to conform to, is *Schiſm.* That *Schiſm* is certainly a Spiritual Sin, without the Superadding of a Temporal Law to make it an Offence. That Occaſional Conformity declares a Man's Conſcience will let him conform; and in ſuch a Man, *Nonconformity* is a wilful Sin: And why ſhould *Occaſional Conformity* be allowed in Corporations, when the Lords agree that out of Corporaions it ought not to be allowed? That if it be reaſonable, as the Lords allow it is, that he who has an Office out of Corporation, though it Entitles him perhaps to very little Profit or Truſt, ſhould be Conformable; it is certainly much more reaſonable that another, who is truſted with Magiſtracy and Power in a Corporation, and has thereby a greater Influence, ſhould be Conformable. As to the 8th Amendment, to which the Commons diſagreed; 'That if the Lords were pleaſed to conſider how much greater the Penalties in other Penal Laws were, in many Inſtances

'than in this Bill, they presumed the Lords could 'not think those in this Bill *Excessive*. That in 'laying Penalties, the Commons shall always en-'deavour to make them such as shall neither tempt 'to Perjury, nor totally discourage Informations 'and Prosecutions; which they thought this A-'mendment of the Lords would do, could the Com-'mons agree to it. As to the Commons Disagree-ing to their Lordships 9th Amendment, they al-ledg'd, 'That the Punishment of *Incapacity*, the *Re-'capacitating*, and the *Encrease of Punishment* for a 'second Offence, are Warranted by many Prece-'dents of the like Nature, in other Penal Laws. 'That an Incapacity, as qualified by the subsequent '*Proviso*, is a very Punishment. That a second 'Offence is a *Relapse*, and *Apostacy*, which are Cir-'cumstances that aggravate and make it more hei-'nous than the first Offence, and therefore deserve 'an Encrease of Punishment. That he is indeed 'reduced to a very unhappy Condition, who is 'made incapable of serving his Prince and Country: 'But in the present case our Prince and Country 'would be in a more unhappy Condition to be ser-'ved by such whose Principles are inconsistent with 'the Good and Wellfare of our Establishment. 'That the Commons could never imagine the Lords 'could infer from this Incapacity, the taking away 'the Toleration. That the Toleration was intend-'ed only for the ease of tender and scrupulous 'Consciences, and not to give a *Licence* for *Occa-'sional Conformity*. That Conforming and Non-'Conforming are Contradictions; nothing but a 'firm perswasion that our Terms of Communion 'are Sinful and Unlawful, can Justifie the one, and 'that plainly Condemns the other. Lastly, as to the Commons disagreeing to the Clauses, their Managers urg'd, that the exempting *Protestant* Dissenters from serving Offices, would rather *Establish Occasional Non-conformity*, than *prevent Occasional Conformity*, and therefore encrease, not cure the Evil the Bill was intended to re-

medy.

medy. That the Act of Uniformity, which Eſtabliſhes the Liturgy and Practice of the Church of *England*, has provided for the Sermons or Lectures Preached or Read in the Univerſities. That thoſe Sermons and Lectures having been in ſuch manner provided for, it was not thought neceſſary, when the Acts paſſed in the 16 and 22 *Car.* II. to prevent and ſuppreſs Seditious Conventicles, (in both which Acts Conventicles are deſcribed as in this Bill) to have any particular Exceptions for them; and yet they were never by any Conſtruction taken to be Conventicles. That the allowing an Exemption to ſuch as ſhould be preſent at the Exerciſes in the Foreign Reformed Churches, would be to open a door for the evading this Law. That the Places of Governors of ſome Hoſpitals are very conſiderable Preferments, and given as ſuch to the Clergy of the Church of *England*; and the Commons can never conſent, by any Law, to let in the Diſſenters to the Enjoyment of them.

On the other hand, the Managers for the Lords, (*viz.* the Duke of *Devonſhire*, Lord Steward, the Earl of *Peterborough*, the Biſhop of *Salisbury*, the Lord *Sommers*, and the Lord *Hallifax*) maintain'd the Alteration made in the Bill, and the Clauſes added to it, and ſaid, 'That by their Agreeing ſo 'far as they had done to this Bill, they had gone a 'great way for preventing the Evil this Bill was 'intended to remedy, and own'd it to be a ſcandal 'to Religion, that Perſons ſhould conform only for 'a Place. That they did not think going to a Meeting to be *Malum in ſe*, for that the *Diſſenters* are '*Proteſtants*, and differ from the Church of *England* 'only in ſome little Forms, and therefore the 'Lords thought loſs of Office a ſufficient Puniſhment, 'without an Incapacity. That it could never be 'thought thoſe of the better ſort would be Guilty 'of this Offence, if they were, they ſhould loſe their 'Offices: That in inferiour Officers of the Cuſtoms 'and Exciſe, who had little elſe to ſubſiſt on, loſs 'of Office was thought ſevere enough, ſince there-

‘ by they would be undone; and that this was yet
‘ more conſiderable in Patent-Places, which by a
‘ common Cuſtom are bought and ſold, and are of
‘ the nature of Freeholds: That Incapacity was
‘ too great a Penalty, and that it is hard to ima-
‘ gine any Offence, that is not Capital, can deſerve
‘ it. That there is no more Reaſon to Puniſh this
‘ Offence with Incapacity, than to make it Felony.
‘ That the *Diſſenters* are not obnoxious to the Go-
‘ vernment, as when the *Corporation Act* was made;
‘ the moſt conſiderable Perſons amongſt them being
‘ well affected to the preſent Conſtitution; and
‘ hearty Enemies to the Queen's and the Kingdom's
‘ Enemies. That in ſome Corporations the Lords
‘ took the Election of Members to ſerve in Par-
‘ liament, to be only in ſuch as are concern'd in the
‘ Government of them, as at *Buckingham*, *&c.* and
‘ the Lords would not by this Bill deprive Men of
‘ their Birth Rights; neither did they think fit, to
‘ bring any greater hardſhips upon the Diſſenters,
‘ ſince great Advantages have accrued from the Act
‘ of Toleration. That the Lords did equally de-
‘ ſire a good Correſpondence betwixt the two Houſes,
‘ and were ſo ſatisfied of the neceſſity of Union at
‘ this time, that they thought all Meaſures fatal
‘ that might create any Diviſions amongſt *Prote-*
‘ *ſtants* at Home, or give any check to the neceſſary
‘ Union amongſt our Allies Abroad, of the Reform-
‘ ed Religion. For which Reaſons, in a time of
‘ War, they thought Alterations unneceſſary and
‘ dangerous, and were unwilling to bring any real
‘ hardſhips upon the Diſſenters at this time, or give
‘ them any cauſe of Jealouſies or Fears. That the
‘ Toleration has had ſuch viſible and good effects,
‘ has contributed ſo much to the Security and Re-
‘ putation of the Church of *England*, and produc'd
‘ ſo good a Temper amongſt the Diſſenters,
‘ that the Lords were unwilling to give the leaſt
‘ diſcredit to that Act; being ſenſible that Liberty
‘ of Conſcience, and gentle Meaſures are moſt pro-
‘ per, and have been found moſt effectual toward

‘ encreaſing

'encreasing the Church, and diminishing the num-
'ber of Dissenters. That the Lords apprehended
'that some parts of this Bill by them amended,
'have an Air of Severity improper for this Season.
'And that though here might be some things to be
'found fault with, yet a proper time ought to be
'taken to apply Remedies; the Attempting too
'hasty Cures having often proved fatal. That the
'Lords could not conceive the Interest of the
'Church and State were not to be supported with-
'out this Bill; since in case of such Danger and
'Necessity, this Remedy must have been propos'd
'before now, by some of those Worthy Members
'of the Church of *England*, who, in so many
'Parliaments, since the Toleration, have shewn so
'much Zeal for the National Church and Govern-
'ment. That the Lords thought they had suffi-
'ciently shewn their dislike to the Practice of Oc-
'casional Conformity, on which they inflicted no
'less a Punishment than loss of Place; and had
'consented likewise to a reasonable Fine to be laid
'on those who should be prov'd Guilty of this
'Crime; That they could not but conceive, That
'if this Bill did Enact nothing *NEW*, there would
'not be such a contest about it; and that it is
'plain, though *Occasional Conformity* ought always
'to have been esteem'd a Crime, yet that the
'Practice was *New*, and the Punishment provided
'by this Law new likewise; That the Lords did
'consent to Punishment, but would proportion
'the Penalty to the Offence. That the Commons
'gave up this Argument when they proposed for
'new Invented Crimes, new Invented Punishments.
'That as the Commons needed not to be ashamed
'of Designs so laudable as the Preservation of the
'Church of *England*, and Monarchy, so the Lords
'concluded their desires of securing the Tolera-
'tion Act, the Peace and Quiet of the Kingdom at
'Home, and the Interest of the Nation Abroad,
'would meet with a fair Construction, especially
'when they hoped the Church is so well secured

'by

' by her Doctrine, by the good Laws of the Realm,
' and the Protection of ſo Pious a Queen, aſſiſted
' by a Parliament ſo well affected to the Church
' and State. That the Lords not only allow the
' neceſſity of an *Eſtabliſhed Religion*, and a *Nati-*
' *onal Church*, but being likewiſe of that National
' Church, they can never be wanting to thoſe Mea-
' ſures they think proper to ſecure it; and tho' by
' the firſt appearance, the Members of the Houſe of
' Commons might ſeem upon this Occaſion, the
' moſt Zealous Champions to the National Eſtabliſh-
' ment, yet the Lords thought the only Conteſt
' between them was, which ſhould moſt befriend
' and take care of the Church; the one would
' procure a *haſty ſettled Submiſſion*, *not ſo much to*
' *be depended upon*; the other would obtain for her
' a *more gradual*, *but a ſafer advantage* over thoſe
' that Diſſent from her; the ſame End being de-
' ſigned by both, and only ſome difference in the
' Means to attain it. That the Lords did not well
' underſtand the Inference, that as upon the Revo-
' lution the laſt Reign began with an Act in favour
' of the Diſſenters, ſo the Commons did deſire in the
' beginning of Her Majeſty's Reign, an Act might
' paſs in favour of the Church. The Lords con-
' ceiving that both Reigns began upon the ſame Bot-
' tom and Foundation; and that as in this Reign
' Her Majeſty hath been pleaſed to give Gracious
' Aſſurances as to Liberty of Conſcience, ſo in the
' laſt, the Church ever met with Protection and
' Support. That the Intereſt of both Parties is to
' Support the Church againſt her Enemies; that it
' is hard, as well as untrue, to ſay of the Diſſen-
' ters, *That they never wanted the Will*, *when they had*
' *the Power*, *to deſtroy the Church and State*; ſince in
' the laſt and greateſt Danger the Church was ex-
' poſed to, they joined with her, with all imagina-
' ble Zeal and Sincerity againſt the Papiſts, their
' common Enemies, ſhewing no prejudice to the
' Church; but the utmoſt reſpect to her Biſhops
' when ſent to the *Tower*: And that ever ſince they
' have

' have continued to ſhew all the ſigns of Friendſhip
' and Submiſſion to the Government of Church
' and State. That in truth, formerly the Diſſen-
' ters had been Seditious, and in Arms and
' Oppoſition to the State and Church; but it
' was the Effect of Perſecution, and that even
' then, they were open and avowed Enemies, but
' that Toleration and Tenderneſs had never miſſed of
' procuring Peace and Union, as Perſecution had
' never failed producing the contrary effects. That
' the Lords cannot think the *Diſſenters* can pro-
' perly be called *Schiſmaticks*, that at leaſt differ in no
' Eſſential Point; that ſuch an Opinion allowed,
' would bring a heavy Charge upon the Church of
' *England*, who by a Law have Tolerated ſuch a
' Schiſm; that Connivance hath been uſed to Schiſ-
' maticks; that Publick Allowance was never given
' to ſuch, and the Church-men having allow'd Com-
' munion with the Reformed Churches Abroad,
' profeſſing *Calviniſm*, it muſt follow, they hold
' them not Guilty of *Schiſm*, or could not allow
' Communion with them. That this Bill inflicts *a*
' *ſecond Puniſhment on thoſe who fled from* France *for*
' *their Religion*; That they ſought a very improper
' Refuge amongſt thoſe that muſt think them Guilty
' of *Schiſm*, and muſt uſe them accordingly; that
' this may be uſed as an Argument to Juſtifie
' even the Perſecution in *France*: Why may not
' the *Roman Catholicks* with reaſon Baniſh thoſe,
' that even *Proteſtants* can hardly Endure amongſt
' them, and for whoſe Doctrine and Practice they
' ſhew ſuch an Averſion, that a Man muſt forfeit his
' Place, and undergo a hard Penalty, but for entring
' Once into their Congregation. That the Lords
' cannot depart from the Clauſe relating to the *Dutch*
' and *Walloon* Churches ſo long Eſtabliſhed amongſt
' us, leaſt it ſhould give great Diſguſt and Offence
' to our Allies Abroad; and at the ſame time
' forfeit the greateſt Character can be given a
' Church, that of Tenderneſs and Charity to Fel-
' low Chriſtians; the contrary Practice being what

' is

‘ is ſo much abhorred amongſt *Roman Catholicks*.
‘ That though the Lords allow, that no Man hath
‘ a Place by Birthright, or but few ſuch Exam-
‘ ples in our Government, yet that giving a Vote
‘ for a Repreſentative in Parliament, is the Eſſen-
‘ tial Priviledge whereby every *Engliſh* Man pre-
‘ ſerves his Property; and that whatſoever deprives
‘ him of ſuch Vote, deprives him of his Birthright.
‘ That the Lords are of Opinion, the Diſſenters
‘ ſhould have Liberty of Conſcience, but agree to
‘ the further Meaſures propoſed by the Commons
‘ to allow neither Diſſenters, nor Occaſional Con-
‘ formiſts any ſhare in the Government; but they
‘ take this to be the great Security for the Eſta-
‘ bliſhed Religion, that all who ſit in the Houſe of
‘ Commons muſt be Churchmen, and the difference
‘ between a Churchman choſe by Churchmen, and
‘ choſe by Diſſenters, is only this, that the for-
‘ mer will be for uſing *Severer*, the other *Gentler*
‘ means, for bringing the Diſſenters into the Church.
‘ That the Diſagreeing to the Clauſe relating to
‘ Work-houſes where the Poor were Im-
‘ ploy'd and Reliev'd, ſeems very hard, ſince it
‘ could never be conceiv'd, that the Diſtribution of
‘ ſome *Presbyterian* Bread to the Poor, and *Diſſen-*
‘ *ting Watergruel* to the Sick, could ever bring any
‘ prejudice to the Church of *England*; eſpecially
‘ by ſuch that having no Authority in Govern-
‘ ment, or Profit by the Adminiſtration of ſuch
‘ Charities, gave them indifferently to thoſe of all
‘ Perſwaſions. That we ought to allow them Cha-
‘ rity to cover their Sins, which God allows and
‘ commands. That the Lords conceived the Act
‘ of Toleration, had viſibly proved to the Advan-
‘ tage of the Church; that even the Practice of
‘ *Occaſional Conformity* in a few, as it had done great
‘ Prejudice to the *Diſſenters*, ſo had it added to the
‘ Reputation and Authority of the Church; the
‘ Diſſenters having determined the Point againſt
‘ themſelves by this Practice; for if they Conform
‘ for a Place, much more ought they to do in Com-
‘ pliance

'pliance with the Law, and for the ſake of Unity.
'That the Lords are of Opinion, the Diſſenters
'are coming into the Church, and that nothing
'but terrifying Meaſures and Severity can prevent
'the happy Union.

Theſe, and many other Reaſons paſs'd between the Managers of the two Houſes at this warm Debate; in concluſion of which, having come to no Reſolution or Agreement, the Commons left the Bill with the Lords, and ſaid, *They hoped the Lords would not let the Publick loſe the Benefit of ſo good a Law.*

This free Conference being over, the Lords took it into Conſideration, what Method was to be us'd in returning to the Commons the Bill, aforeſaid, and order'd that the Managers at the free Conference for their Lordſhips, ſhould the next day ſearch the Precedents relating to the Matter; who found the Bill was to be deliver'd at a free Conference; with, or without Reaſons: Whereupon the Queſtion was put, whether the Lords ſhould agree with the Commons, That the Clauſe relating to the Corporations ſhould ſtand part of the Bill; and it being carried in the Affirmative, a Meſſage was ſent to the Commons to deſire a free Conference, which they readily comply'd with, and the Managers of both Houſes being met accordingly, thoſe for the Lords deliver'd the Bill to the Commons, and acquainted them, That the Lords had receded from one of their Amendments, but adhered to all the reſt: When upon return of their Managers, the Commons having taken into Conſideration the Report of the firſt free Conference, order'd the ſame to be enter'd into their Journal: And reſolv'd, That they did adhere to their diſagreeing with the Lords in their Amendments, of which more hereafter.

On the 23d of *December*, Her Majeſty went to the Houſe of Lords, and gave Her Royal Aſſent to the Land-Tax, and two other Private Bills: And the ſame Day, the Bill to empower Her Majeſty to ſettle a Revenue on his Royal Highneſs, was order'd to be Engroſs'd.

The

The Commons now ſtarted another Affair, which very much encreas'd the diſagreement the Occaſional Bill had caus'd between the two Houſes; for having receiv'd the Reports of the Commiſſioners of the Publick Accounts, and the Obſervation being read thereon; the Houſe reſolv'd that *Charles* Lord *Halifax*, Auditor of the Receipt of Exchequer, had neglected his Duty, and was Guilty of a Breach of Truſt, in not Tranſmitting the Impreſt Rolls half Yearly to the King's Remembrancer, according to the Act made in the 8th and 9th Year of his late Majeſty's Reign, Entituled, *An Act* for the better Obſervation of the Courſe Antiently us'd in the Receipt of Exchequer: With ſeveral other Articles ſtipulated againſt the ſaid *Charles* Lord *Halifax*; and the Commons alſo Addreſt Her Majeſty, that ſhe would be pleas'd to give directions to Her Attorney General, to Proſecute the ſaid Lord for his Offence.

On the other hand, the Lords, alarm'd at this Proceeding, againſt a Member of their Houſe, order'd the Commiſſioners of Accounts, to lay before them what farther Obſervations they had made in Relation to the Accounts, and order'd a Committee to conſider of the ſame; who having examin'd the Original Impreſt Rolls, and ſeveral Officers of the Exchequer, and others upon Oath, acquainted the Houſe, That upon the whole matter, they were Humbly of Opinion, That *Charles* Lord *Halifax*, had perform'd his Duty in Tranſmitting the ordinary Impreſt Rolls to the Queen's Remembrancer, according to the Antient Cuſtom of the Exchequer, and the Direction of the Act of the 8th and 9th of King *William* III. and that he had not been Guilty of any Neglect or Breach of Truſt upon that Account; to which Opinion the Lords Concur'd, and order'd the Proceedings in the ſaid Affair to be forthwith Printed and Publiſh'd.

The Solemn and Honourable Acquital of the Lord *Halifax* did reliſh but ill with the Commons, who,

who, ordered their Committee to Search the Journals of the Houſe of Lords, and report their Lordſhips Proceedings in Relation to the Obſervations of the Commiſſioners of Accounts. Purſuant to this Order, Colonel *Granville* did the next day report to the Houſe, what the Committee had found both in the Lords Journals relating to this Affair, and in the Journals of the Lower Houſe, relating to what had been done upon the Lords deſiring Members of the ſaid Houſe to attend the Houſe of Lords; and in Relation *to the Lords Inſpecting and Examining Accounts.* This Report being Read, the Commons ordered the ſame Committee to draw up what was proper to be offer'd to the Lords, at a Conference upon the Subject Matter of their Lordſhips Meſſage the 4th Inſtant, which the Committee did accordingly in this manner.

The Commons cannot comply with your Lordſhips deſires, contain'd in your Meſſage of the 4th Inſtant, becauſe the Commons are ſtill of the ſame Opinion as was delivered to your Lordſhips in February 1691, *at a Free Conference upon the Subject Matter of the Amendments made by the Lords, to the Additional Bill for the Appointing and Enabling Commiſſioners to Examin, Take and State the Publick Accounts of the Kingdom; when they deſired to know the End, your Lordſhips would propoſe to your Selves by an Enquiry into the Publick Accounts: For ſhould any Miſapplication of Money, or Default of Diſtribution appear in the Accounts, your Lordſhips cannot take Cognizance thereof Originally; or otherwiſe, even in your judicial Capacity, then at the Complaint of the Commons. And ſhould a Failure or Want of Money appear, it is not in your Lordſhips Power to Redreſs it: For the Grant of all Aids is in the Commons only; or if there be any Surpluſage, the Commons only can apply it to the Charge of the enſuing Year.*

But ſhould the Commons give leave to the Commiſſioners to attend your Lordſhips, no Information

they

they can give againſt any Perſon whatſoever, can entitle your Lordſhips either to Acquit, or Condemn. Tet ſince this Meſſage, the Commons find in your Lordſhips Journals a Reſolution, Declaring, That *Charles* Lord *Halifax*, Auditor of the Receipt of the Exchequer, has perform'd the Duty of his Office, &c. *which looks to the Commons, as if your Lordſhips pretended to give a Judgment of Acquital, without any Accuſation brought before your Lordſhips, and conſequently without any Tryal. And that which makes your Lordſhips Proceeding yet more Irregular, It tends to Prejudging a Cauſe which might regularly have come before you, either Originally by Impeachment, or by Writ of Error from the Courts below. And therefore the Commons can ſee no uſe of this Reſolution, unleſs it be either to intimidate the Judges, or prepoſſeſs a Jury.*

But if your Lordſhips could have Judg'd in this Matter, it does not appear by your Lordſhips Journals, that you have had under Examination the reſpective Times of Tranſmitting ſeveral Impreſt Rolls to the Queen's Remembrancer; without which, it is impoſſible to know whether the Auditor of the Receipt has done his Duty according to the late Act of Parliament.

Theſe Reaſons being reported by Colonel *Granville*, and afterwards Read and Approv'd by the Houſe, a Meſſage was immediately ſent to the Lords to deſire a free Conference; to which the Lords having the next day agreed, the Managers for the Commons deliver'd the ſaid Reaſons to their Lordſhips.

On the 18th, the Lords (not a little provoked by the Reaſons of the Commons) came to the following Reſolutions: Firſt, *That the Lords have an undoubted Right (which they can never ſuffer to be conteſted) to take Cognizance Originally of all Publick Accounts, and to inquire into any Miſapplication or Default in the Diſtribution of Publick Monies, or into any other Miſmanagement whatſoever.* Secondly, *That the Lords in their Inquiry into the Examination*

tion of the Obſervations of the Commiſſioners of Accounts, in relation to Charles *Lord* Halifax, *and in their reſolution thereupon, had proceeded according to the Rules of Juſtice, and the Evidence that was before them.* And Thirdly, *That the Commons in their Reaſons delivered at the laſt Conference, had us'd ſeveral Expreſſions and Arguments highly reflecting, and altogether Unparliamentary, tending to deſtroy all good Correſpondence between the two Houſes, and to the Subverſion of the Conſtitution.*

The Queen apprehending the Conſequence of theſe Differences between the two Houſes, ſent a Meſſage to the Lords by the Earl of *Nottingham*, to deſire them to make quick Diſpatch with the Buſineſs before them: And the ſame day (*Feb.* 22.) their Lordſhips communicated the foremention'd Reſolutions to the Commons, at a Conference which their Lordſhips had deſired and appointed. The Commons having taken the ſame into Conſideration, Reſolv'd, That a free Conference ſhould be deſired with the Lords upon the Subject Matter of the two laſt Conferences, and ordered their Managers to conſider of what Heads were fit to be gone upon at the ſaid Free Conference, which they accordingly did, and the ſaid Heads were as follows.

1. *That no Cognizance the Lords can take of the Publick Accounts can enable them to ſupply any Deficiency, or to apply any Surpluſage of the Publick Money.* 2. *That the Lords can neither Acquit or Condemn any Perſon whatſoever, upon any Inquiry ariſing originally in their own Houſe.* 3. *That the Attempt the Lords have made to Acquit* Charles *Lord* Halifax, *Auditor of the Receipt of the Exchequer, is Unparliamentary, and not warranted by any Precedent: And the Reſolution thereupon is plainly contrary to what appears on the Records themſelves.* 4. *That the Conference deſired by the Commons, was, in order to preſerve a good Correſpondence between both Houſes, by offering Reaſons to prevent the Lords from Proceeding in a Caſe which they had no Precedent to Warrant; and the Commons expreſſing the Conſequence they appre-*

hended might follow from that Reſolution, was neither Reflecting nor Unparliamentary, or tending to deſtroy the good Correſpondence between the two Houſes, and much leſs to the Subverſion of the Conſtitution. And 5. *That the Lords delivering at a Conference their Reſolutions inſtead of Reaſons, in anſwer to the Reaſons of the Commons, is not agreeable to the Antient Rules and Methods of Parliament, obſerved in Conferences between the two Houſes.*

Theſe Heads being reported by Colonel *Granville*, and then Read and Approved by the Houſe, a Meſſage was ſent to the Lords to deſire a Free Conference with their Lordſhips, who appointed the ſame immediately in the *Painted Chamber*, and nam'd the Lord *Steward*, Earl of *Carliſle*, and the Lords *Herbert*, *Halifax* and *Ferrars*, to be their Managers.

The Managers for the Commons, at the Head of whom was the Eloquent Mr. *Finch*, open'd the Particulars which they had in Direction to inſiſt on: Adding, 'That when they acquainted their Lord-'ſhips, that the expreſſing the Conſequences which 'they apprehended might follow from their Lord-'ſhips Reſolution, it was not a Charge upon their 'Lordſhips, that they intended that Conſequence; 'but they would have been very glad their Lordſhips 'would have been pleas'd to have let them know 'what Uſe was to be made of it, or what they in-'tended by it? And concluded, that if their Lord-'ſhips did Controvert any of theſe Points, they were 'ready to maintain them.

The Lords made no Anſwer to any of theſe Particulars, ſave to the matter of Reſolution, relating to the Lord *Halifax*, upon which they acknowledg'd, *That they were no Court of Enquiry to form any Accuſation*; *That their Proceedings, in Relation to that Lord, was no Tryal*; *nor was their Reſolution any Judgment or Acquittal*; *but that he might ſtill be Proſecuted as before: But that which gave occaſion to that Proceeding, was the Reſolution of the Houſe of Commons, which they found in the Printed Votes, reflecting upon a Member of their Houſe*; *and thereupon they thought fit*

fit to give their Opinion, which they did in their Legiſlative Authority.

The Managers for the Commons replied, *That their Lordſhips having in their Reſolutions declar'd, That they had proceeded according to the Rules of Juſtice, and the Evidence that was before them, the Commons could put no other Interpretation upon it, than that it was intended as a Judgment: And no Judgment could be made where there was no Accuſation; And if it was not a Judgment, They could not imagine what it did tend to. As to their Lordſhips delivering their Opinion, That it was againſt the Rule of any Court, that any Judge whatſoever ſhould deliver an Opinion in a Clauſe that might come before him, and that this Matter might hereafter come judicially before their Lordſhips. That there was a great difference between the Reſolution of the Commons and the Vote of the Lords: That the Vote of the Houſe of Commons was but in order to a Proſecution, which they can never Vote without declaring the Crime, and they can never come to be Judges of it; That the Houſe of Commons is the Grand Inqueſt of the Nation, and every Grand Jury that finds* Billa Vera *upon an Indictment, does by that declare the Man Guilty: But that the Lords have a judicial Capacity, and their Reſolution before an Accuſation brought, is Prejudging the Cauſe that may come regularly before them. As to the Obſervation the Commons made, That the Lords had not Examined the reſpective Times of Tranſmitting the Impreſt Rolls to the Queen's Remembrancer: The Commons Managers ſaid, That as their Lordſhips Reſolution was no Judgment, ſo this Conference was no Trial. But to ſhew the Miſtake of their Lordſhips Reſolution, they obſerv'd the Date upon the ſeveral Impreſt Rolls that had been Tranſmitted to the Remembrancer, and that they Apprehended there were ſtill two wanting. That the three laſt that were Tranſmitted, came not to the Remembrancer till* Jan. *laſt, the two firſt on the 23d, the laſt on the 27th. And that the firſt of theſe three Impreſt Rolls was Money Impreſt to the 21ſt of* February 1700, *and ſaid to be in the firſt Year of Queen* ANNE; *which ſhewed that*

that Roll was ſo far from being Examin'd or Tranſmitted in time, that it was not made up till ſince Her Majeſty came to the Crown. That as the Cuſtom formerly had been to ſet down the Time of the Examination of thoſe Rolls, ſince Mr. Charles Montague *came in to be Auditor, he ſet down the Month, but not the Day: And ſince the Lord* Halifax *was Auditor, he had ſet down neither Month nor Day; And that by his Example, on the three laſt Impreſt Rolls, the Clerk of the Pells had put down no time at all.*

To this the Lord *Halifax*, in his own defence, replied, *That the Lords Reſolution was well founded, ſince they had the Rolls themſelves before them, and Proof upon Oath; That by the Words of the Act, the Auditor was to Tranſmit the Impreſt Rolls to the Remembrancer* Half-Yearly, *according to the uſual Courſe of the* Exchequer; *which is eight Months and four Months; That it was not his Duty to Tranſmit them immediately to the Remembrancer, becauſe he was to ſend them to the Clerk of the Pells, who is to examine and ſign them. That it cannot be imagin'd, the Auditor ſhould be tied to a certain Time, to Tranſmit the Rolls to the Remembrancer, becauſe they muſt firſt go through another Hand; And he never took it, there was any Occaſion to put down the Time he examin'd them, for that would appear from the time of the Delivery, and Date of the Roll. That there was one examin'd by the Clerk of the Rolls, the 4th of* July, *and not deliver'd till the 23d of* January; *which he did not take to be the Auditor's Fault, but took it to be the Duty of the Clerk of the Pells to deliver them. That every Body knew the great Trouble that had been given in his, as well as other Offices, by the Commiſſioners of Accounts; and that no loſs had happen'd by not Tranſmitting theſe Rolls, no Proceſs having been iſſued forth for many Years upon them.*

The Commons Managers anſwer'd, *That though Half-Yearly ſhould be taken for Eight Months, and four Months, yet by that they muſt be Tranſmitted Twice a Year, and ſo he had fail'd in his Duty in that Reſpect. That to conſtrue the Ancient Courſe of the Exchequer,*

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in the Act of Parliament, to be meant, that the Clerk of the Pells ſhould Tranſmit the Rolls, was a direct Contradiction to the Act, that ſays the Auditor ſhall do it. That the ancient Courſe of the Exchequer having not been obſerv'd, was the Occaſion of making that Law; and that they thought Laws were to be obſerv'd. That indeed no Proceſs could iſſue till the Rolls were Tranſmitted; and poſſibly that might be the Ground the Accounts had been ſo long unpaſs'd, to the Prejudice of the Publick; And that his Lordſhip's Apprehenſion there was no leſs to the Publick, by not Tranſmitting the Rolls, might probably be the Reaſon of his Lordſhip's neglecting his Duty. And here the Free Conference broke up.

The Members being return'd to their reſpective Houſes, the Commons order'd their Managers to draw up a Report of the ſaid Free Conference; and then a Motion was made, *That the Votes of the Houſe ſhould not be Printed, and that this might be a ſtanding Order*: Which being carried in the *Affirmative*, occaſion'd various Diſcourſes both in the City and Country. The Lords, on the contrary, order'd their Proceedings in Relation to the *Occaſional Conformity Bill*, and *Publick Accounts*, to be forthwith Printed; whereupon the Commons reſolv'd to Publiſh theirs likewiſe.

On the 22d of *February*, Her Majeſty ſent a Meſſage to the Commons by Mr. Secretary *Hedges*, wherein ſhe deſir'd, They would give all poſſible Diſpatch to the Buſineſs there depending; upon which, the Houſe reſolv'd, That an Addreſs ſhould be preſented to Her Majeſty, humbly to lay before her, that they had already diſpatch'd all the neceſſary Buſineſs before them; having of themſelves, dropt the Bill for Reſuming the Grants of King *William*, ſome time before mention'd in the Houſe.

So that on the 27th of *February*, all the Publick Bills being ready, Her Majeſty went to the Houſe, and gave them Her Royal Aſſent, and made the following Speech to both Houſes:

My Lords and Gentlemen,

I *Return you My hearty Thanks for the great Diſpatch you have given to the Publick Affairs in this Seſſion, which is an Advantage extremely Material at all times, and I Hope We ſhall find the Fruit of it this Year, in the Forwardneſs of our Preparations.*

Gentlemen of the Houſe of Commons,

I am to Thank you in particular, for the great Supplies with which you Enable Me to carry on the War; It ſhall be my Care to have them ſtrictly applied to the Uſes, for which you have deſign'd them, and to the beſt Advantage for the Publick Service: You have Repoſed great Confidence in Me by allowing ſo Unuſual a Latitude, as you have done, in the Clauſe of Appropriation; I ſhall Improve all Opportunities, in the Uſe of it, for the Honour and true Intereſt of the Nation.

I muſt further take Notice to you, That the Readineſs you have ſhewn in the Proviſion made for the Prince is a very ſenſible Obligation to Me.

My Lords and Gentlemen,

I deſire and expect from you, That you make it your Buſineſs in your ſeveral Countries, to Continue and Preſerve the Quiet and Satisfaction of all My Subjects, I hope that ſuch of them, as have the Misfortune to Diſſent from the Church of England, *will reſt Secure and Satisfied in the Act of Toleration, which I am firmly reſolved to Maintain: And that all thoſe who have the Happineſs and Advantage to be of our Church, will conſider, That I have had my Education in it, and that I have been willing to run great hazards for its Preſervation, and therefore they may be very ſure I ſhall always make it my own particular Care to Encourage and Maintain this Church as by Law Eſtabliſhed, and every the leaſt Member of it, in all their juſt Rights and Priviledges; and upon all Occaſſons of Promotions to any Eccleſiaſtical Dignity, I ſhall have a very juſt regard to ſuch as are Eminent and Remarka-*

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ble for their Piety, Learning and conſtant Zeal for the Church; that by this and all other Methods which ſhall be thought proper, I may Tranſmit it ſecurely ſettled to Poſterity.

I think it might have been for the Publick Service to have had ſome further Laws for reſtraining the great Licence, which is Aſſumed, of Publiſhing and Spreading Scandalous Pamphlets and Libels; but as far as the preſent Laws will extend, I hope you will all do your Duty in your reſpective Stations to Prevent and Puniſh ſuch Pernicious Practices.

Above all other things, I do recommend to you Peace and Union among your ſelves, as the moſt Effectual Means that can be adviſed, to diſcourage and defeat the deſigns of our Enemies.

I muſt not conclude without Acquainting you I have given Directions, That my part of all the Prizes, which have been or ſhall be taken during this War, be applied entirely to the Publick Service; and I hope my own Revenue will not fall ſo ſhort, but that I may be able, as I deſire, to contribute yet further to the eaſe of my People.

After which the Lord Keeper (by her Majeſty's Command) Prorogued the Parliament to *Thurſday* the 22d of *April* next.

The Parliament being thus broke up, let us attend the Progreſs of Her Majeſty's Arms in the *Weſt-Indies*: Captain *Lake* having been ſent with a Squadron of Ships to *Newfoundland*, to diſturb the *French* Settlements there, he was ſo Succeſsful, that he took in thoſe Parts 29 Sail of Ships, and burnt 22, after which he burnt and deſtroy'd all the Fiſhing Boats, and Stages at *Tarpaſſi*, St. *Mary*'s, *Colenet*, Great and Little St. *Laurences*, and the Iſland of St. *Peter*'s, being all very conſiderable Settlements of the *French* in *Newfoundland*; and of the greateſt Importance for carrying on their Fiſhery, and Breeding of Sea-men: At the ſame time, Admiral *Bembow*, upon the firſt Notice of the War declar'd

againſt *France*, being with his Squadron in the *Weſt-Indies*, took and deſtroy'd ſeveral *French* Ships and Victuallers Bound to the *Havana*; and having intelligence that Monſieur *du Caſſe* was come into thoſe Seas, with his Squadron, he Sail'd in order to Intercept him: And arriving at Cape *Donna Maria*, he receiv'd Advice, that Monſieur *du Caſſe* was gone to *Carthagena*, and from thence to *Porto Bello*, upon which, he reſolv'd to follow him, and accordingly ſtretch'd over toward the Coaſt of *Santa Martha*, near which place, on the 19th in the Morning, he ſpy'd Ten Sail to the Eaſtward, and ſoon perceiv'd them to be *French* Men; ſome of our Ships being Three or Four Miles a Stern; the Admiral made a Signal for Battle, and went with an eaſie Sail, that the others might come up, and ſteered with the *French*, who ſteered to the Weſtward along the Shore, under their two Topſails. There was of them Four ſturdy Ships, from 66 to 70 Guns, One great *Dutch* built Ship of 30 or 40 Guns, and One ſmall Ship full of Soldiers, the reſt were a Sloop and Three ſmall Ships. The Admiral had diſpoſed the Line of Battle as follows, *viz.* the *Defiance*, *Pendennis*, *Windſor*, *Breda*, *Greenwich*, *Ruby* and *Falmouth*, and being uneaſie to ſee our Ships ſo long a coming up, and in diſorder, and obſerving that the *Defiance* and *Windſor*, did not make any haſt to come into their Station, he ſent to them to make more Sail. The Night approaching, the Admiral Steered along, ſide of the Enemy, and endeavoured to wear them being to the Windward, and ſteering large, but not with a deſign to attack them before the *Defiance* was a-breaſt of the headmoſt Ship; but before this was done, the *Falmouth* in the Rear attack'd the *Flemiſh* Ship; the *Windſor* the Ship a-breaſt of her; as alſo did the *Defiance*. Soon after the Admiral was oblig'd to do the ſame, having receiv'd the Fire of the *French* Ship a breaſt of him: The *Defiance* and *Windſor*, after they had receiv'd two or three Broad-ſides from the Enemy, luſt out of the Line out of Gun-ſhot. The two Sternmoſt Ships

Ships of the *French* lay upon the Admiral, which very much galled his Ship, the Ships in the Rear not coming up as they ought. It was Four a Clock when we begun, and continued till it was dark, keeping them Company all Night. The Admiral believing, that if he led himſelf on all Tacks, (perceiving the *French* would decline Fighting if they could) that thoſe Captains for ſhame would not fail to follow a good Example, he order'd the following Line of Battle; *Breda*, Vice-Admiral *Bembow* and Captain *Fogg*; *Defiance*, *Richard Kirkby*; *Windſor*, *John Conſtable*; *Greenwich*, *Cooper Wade*; *Ruby*, *George Walton*; *Pendennis*, *Thomas Hudſon*; *Falmouth*, *Samuel Vincent*.

The 20th, at day-light in the Morning, the Admiral was near the Enemy; but the other Ships (except the *Ruby* alone, which was up with him) were 3, 4 and 5 Miles a-ſtern; It prov'd little Wind; the Admiral was within Gun-ſhot of the Enemy, who were ſo civil as not to fire: At two this Afternoon, the Sea-breeze coming up, the Enemy got into a Line, making what Sail they could; the other Ships not coming up, the *Breda* with the *Ruby*, ply'd their Chaſe Guns on them till Night, then they left off, but kept them Company all Night.

The 21ſt, at day-light in the Morning, the Admiral being on the Quarter of the ſecond Ship of the Enemy's, and within point-blank Shot, the *Ruby* being a-head of him, the *French* Ship fired at the *Ruby*, which the *Ruby* return'd; the two *French* Ships which were a-head fell off, being little Wind, brought their Guns to bear on the *Ruby*; the *Breda* brought her Guns to bear on the *French* Ship, which firſt begun, and ſhatter'd her very much, which oblig'd her to Tow from us; but the *Ruby* was likewiſe ſo much ſhatter'd in her Maſts, Sails and Rigging, that the Admiral was oblig'd to lie by her, and ſend Boats to tow her off. This Action held almoſt two Hours, during which, the Rear Ship of the Enemy's, was a-breaſt of the *Defiance* and *Windſor*, who never

never fired one Gun, though within point-blank. At Eight a Clock in the Morning, a Gale of Wind ſpringing up, the Enemy made what Sail they could, and the Admiral chaſed them in hopes to come up with them; being then a-breaſt of the River *Grandy*. At two in the Afternoon the Admiral got a-breaſt of two of the Sternmoſt of the Enemy's Ships, and in hopes to diſable them in their Maſts and Rigging, he began to fire on them, as did ſome of the Ships a-ſtern; but lying a-breaſt of them, they pointed wholly at him, which galled his Ship much in her Rigging, and diſmounted Two or Three of the lower Tier Guns; this held about two Hours: They got without Shot, the Admiral making what way he could after them, but they uſed all the ſhifts poſſible they could, to evade Fighting.

The 22d at Day-light, the *Greenwich* was about three Leagues a-ſtern, tho' the Signal for the Line of Battle was never ſtruck, Night or Day, the reſt of the Ships indifferently near, (except the *Ruby*) the Enemy about a Mile and half a-head. At three this Afternoon the Wind came to the Southward, which before was Eaſterly: This gave the Enemy the Weather-Gage; but in tacking, the Admiral fetch'd within Gun-ſhot of the Sternmoſt of them, (firing at each other) but our Line being much out of order, and ſome of our Ships three Miles a-ſtern, nothing more could be done. This Night the Enemy was very uneaſie, altering their Courſes very often between the Weſt and North.

The Twenty-third at Day-light, the Enemy was about ſix Miles a-head of us, and the great *Dutch* Ship Separated from them out of Sight: Some of our Squadron at this time were more than Four Miles a-ſtern, *viz.* the *Defiance* and *Windſor*. At 10 a Clock the Enemy tack'd, the Wind then at Eaſt North Eaſt, but very variable; The Admiral fetch'd within point-blank ſhot of two of them, paſſing Broadſides at each other: Soon after he tack'd, and purſu'd them what he could. About Noon we took from them a ſmall *Engliſh* Ship called the *Anne* Galley,

Galley, which they had taken off of *Lisbon*: The *Ruby* being disabled, the Admiral ordered her for *Port-Royal*. At 8 this Night the Squadron was about two miles distance from the Enemy, they steering S. E. and very little Wind, then at N. W. and variable; the Admiral steering after them, and all his Ships (except the *Falmouth*) falling much astern: At 12 the Enemy began to separate.

The 24th, at two in the Morning, we came up within call of the Sternmost, it being very little Wind; the Admiral fired a Broadside with Double and Round alow, and Round and Patridge aloft, which she returned: At 3 a Clock, by a Chain-shot, the Admirals right Leg was broke to Pieces, and he was carried down, but presently ordered his Cradle on the Quarter-Deck, and continued the Fight till day, when appeared the Ruins of a Ship of about 70 Guns, her Main-yard down, and shot to Pieces, her Fore-top-sail-yard shot away, her Mizen-mast shot by the Board, all her Rigging gone, and her Sides bored to Pieces with our double-headed Shot. The *Falmouth* assisted in this Matter very much, and no other Ship: Soon after day the Admiral saw the other part of the Enemy coming towards him with a strong Gale of Wind Easterly: At the same time, the *Windsor*, *Pendennis*, and *Greenwich*, a-head of the Enemy, came to Leeward of the disabled Ship, fired their Broad-side, pass'd her, and stood to the Southwar'd; Then the *Defiance* following 'em, came also to Leeward of the disabled Ship, and fired part of her Broad-side; The disabled Ship did not fire above 20 Guns at the *Defiance* before she put her Helm a-weather, and run away right before the Wind, lower'd both her Top-sails, and ran to Leeward of the *Falmouth*, (which was then a Gun-shot to Leeward of the Admiral, knotting her Rigging) without any regard to the Signal of Battle. The Enemy seeing our other 2 Ships stand to the Southward expected they would have tack'd, and stood with them, they brought to with their heads to the Northward; but seeing those three Ships did not tack, bore

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down upon the Admiral, and run between the disabled Ship and him, firing all they had, in which they shot the Main-top-sail-yard, and shattered the Rigging much, none of the other Ships being near him, nor taking any Notice of the Battle Signal; The Captain of the *Breda* hereupon fired two Guns at those Ships a-head, in order to put them in mind of their Duty. The *French* seeing this great Disorder, brought to and lay by their own disabled Ship, remann'd her, and took her in a Tow: The *Breda*'s Rigging being much shattered, she lay by till 10 a Clock, and being then refitted, the Admiral ordered the Captain to pursue the Enemy, who was then about 3 Miles distance, and to Leeward, having the disabled Ship in a Tow, steering N. E. the Wind at S. S. W. The Admiral in the mean time made all the Sail after them he could, and the Battle Signal was always out; but the Enemy taking Encouragement from the Behaviour of some of our Captains, the Admiral ordered Captain *Fogg* to send to the Captains to keep their Line, and to behave themselves like Men; which he did: Whereupon Captain *Kirkby* came on Board the Admiral, and pressed him very earnestly to desist from any further Engagement, which made the Admiral desirous to know the Opinion of the other Captains; Accordingly he ordered Captain *Fogg* to make the Signal for all the other Captains to come on Board, which they did, and most of them concurred with Captain *Kirkby* in his Opinion; whereupon the Admiral perceiving that they had no mind to fight, and being not able to prevail with them to come to some other Resolution, though all they said was Erroneous, he thought it not fit to venture any further. At this time, the Admiral was a Broadside of the Enemy, and had a fair Opportunity of Fighting them, the Masts and Yards in a good Condition, and few Men killed, except those on Board the *Breda*.

On the 6th of *October*, Admiral *Bembo* issued a Commission to Rear-Admiral *Whetstone*, and some Captains,

Captains to hold a Court-Marſhal for the Trial of the following Captains,

Capt. *Kirkby*, Commander of the *Defiance*, 64 Guns
Capt. *Conſtable*, the *Windſor*, 60
Capt. *Wade*, the *Greenwich*, 54
Capt. *Hudſon*, the *Pendennis*, 48

Who were accuſed of Cowardiſe, Breach of Orders, and Neglect of Duty, in the Fight that Admiral *Bembow* had for 6 days off of the Coaſt of *Carthagena*, with Monſieur *Du Caſſe*.

The Court-Martial began on the 8th of the ſame Month, and held Four days: Captain *Kirkby* was brought to his Tryal, and the Crimes abovementioned charged on him, being proved by the Oaths of the Admiral, 10 Commiſſion Officers, 11 Warrant and Inferiour Officers, he was Sentenced to be ſhot to Death, but the Execution thereof reſpited till Her Majeſty's Pleaſure be known.

Captain *Conſtable* was cleared by his own Officers and Men, of Cowardiſe; but the other Crimes being proved againſt him, he ſtands Caſhier'd, by the Sentence given, from Her Majeſty's Service, with Impriſonment during her Pleaſure.

Captain *Cooper Wade* was the next Man Tried; the Crimes abovementioned charged on him were proved by 16 Commiſſion and Warrant Officers of his own Ship, and by ſeveral others; whereupon the ſame Sentence was given againſt him as againſt Captain *Kirkby*.

Captain *Hudſon*, Commander of the *Pendennis*, died ſome days before the Tryal.

Then came on the Trial of Captain *Vincent*, Commander of the *Falmouth*, and Captain *Fogg*, Captain of the Admiral's Ship the *Breda*, for ſigning a Paper with Captain *Kirkby* and the reſt againſt engaging the *French*, when there was ſo fair an Opportunity with probability of Succeſs; But upon their alledging in their own Juſtification, that they did it only becauſe they were perſwaded, conſidering the Cowardly

ardly Behaviour of thoſe Captains, that upon another Engagement thoſe Captains would wholly deſert and leave the Admiral in the *Breda*, and the *Falmouth* a Prey to the *French*; and upon the Character given by the Admiral and others, of their great Courage and Gallant Behaviour in the Battle; the Court thought fit only to ſuſpend them from their Employment in Her Majeſty's Service; but withal, that this Suſpenſion ſhall not commence till his Royal Highneſs's Pleaſure is known.

Not long after the Admiral Died of the Wound he had receiv'd in the Engagement, and Captain *Kirkby*, and *Wade*, upon their return to *England*, were Shot to Death on Board the *Briſtol*; which Ship had brought them Priſoners, being eſteem'd unworthy to Land on their Native Shore, who had ſo derrogated from the Honour of their Country. Not long after, Colonel *Moor*, Governour of *Corolina*, made an attempt upon St. *Auguſtine*, near the Gulph of *Florida*; and made himſelf Maſter of the Town, but the Inhabitants retreating into the Caſtle, which was very ſtrongly Situated, he was oblig'd to return. At the ſame time, ſome Privateers attack'd a Place call'd *Toulon*, on the *Continent*, about 10 Leagues from *Carthagena*, which they Took, Plundered, and Burnt: From thence they Sailed to *Caledonia*, went up the River *Darien*, and conſorting with the *Indians*; were carried in 12 days March to the Gold Mines at *Santa Cruz de Cana*, near *Santa Maria:* The 9th day of their *March*, they fell within an Out-Guard of 10 Men, which the *Spaniards* had at ſome diſtance from the Place, of whom they took 9, but the other eſcaping, gave notice at the Mines of their Approach, whereupon the richeſt of the Inhabitants retired from thence with their Money and Jewels; however, our Party which conſiſted of about 400 Men, being come up, took the Fort, and poſſeſſed themſelves of the Mine, where there remained about 70 Negroes, whom they ſet to work, and continued there 21 days, in which time they got about 80 Pound Weight of Gold Duſt; They alſo found ſeveral Parcels

cels of Plate, which the Inhabitants had buried at their leaving that Place. Our Men, at their departure, Burnt all the Town, except the Church, and returned to their Sloops, bringing away the Negroes. Some went further up the River in their Sloops, having a design upon another Gold Mine, called *Chocoa*; and two of the Sloops, Commanded by Captain *Plowman*, and Captain *Grandy*, Sailed towards *Cuba*, landed near *Trinidado*, and with 150 Men took the Town, Burnt a great part of it, and brought off a very considerable Booty.

About this time also, Colonel *Codrington* Governour of the *Leeward* Islands in *America*, made a Descent upon the *French* Island *Guadalupa*, where he made himself Master of some of the Enemies Platforms and Plantations, and also of the Great Town call'd *Basse-Terre*, where he continued some time, sending out Parties to burn and destroy the Enemies Houses, Works, Sugar-Canes, and Provisions thereabouts, and then laid Siege to the Fort and Castle of the same Place; but either for want of Provisions, or a sufficient Number of Forces to carry it on, the Colonel was oblig'd to give over the Enterprize. Soon after, Commodore *Whetstone*, return'd to *Port Royal* in *Jamaica*, having been out about two Months: He had Cruis'd five Weeks of the time, on both sides *Hispaniola*, in hopes of meeting with a considerable Fleet of Merchant Ships, which as he had been inform'd was expected in those Parts from *France*: But not being able to get any Account of them, he Sail'd to *Petit Guaves* and *Leogane*, in the Gulph of *Hispaniola*, and for the better preventing any Ship escaping out of the Bay, he divided his Squadron, and sent Captain *Vincent* with one half to the South side, and Steer'd with the rest himself to Northward: Upon Captain *Vincents* appearance, three *French* Privateers, got out, and stood away to the Northward, by which they fell into the Admirals Mouth, one of 10 Guns was taken, and two of better Force chas'd a-shoar and Burnt. Captain *Vincent*, with his Boats, row'd in the Night undiscover'd into

into the Cul or Harbour, where lay four Ships, one of which he Burnt, Sunk another, and took a third; the fourth was Boarded, but by Accident Blew up: In theſe Prizes 120 Men were made Priſoners, and the Damage the *French* ſuſtain'd very conſiderable.

On the 22d of *April*, 1703. The Parliament met at *Weſtminſter*, purſuant to the laſt Prorogation; at what time, the Duke of *Buckingham* and *Normanby*, the Lords *Granville*, *Guernzey*, and introduc'd in the Houſe of Peers, and on the 20th of *May* following, Her Majeſty and the Prince, went to *Windſor*, intending to paſs moſt of the Summer there.

From the beginning of the preſent War, great Endeavours had been us'd to engage the King of *Portugal* to break with *France*, and bring him into the Grand Alliance, and there was no ſmall Application and Diligence us'd therein, both by the Imperial, *Engliſh*, and *Dutch* Miniſters, who had ſeveral difficulties, and Obſtructions to ſtruggle with, as well from the Oppoſition of the *French* Court, as from ſeveral Objections rais'd by the *Portugueze* themſelves; but all theſe were at length remov'd, chiefly by the Admirante of *Caſtile*, and Mr. *Methuen*; and a Treaty between the Emperor, the Queen of *Great Britain*, and the King of *Portugal*, was Sign'd at *Lisbon*, the 16th of *May*, N. S. 1703, and ratified ſoon after in *England*. Purſuant to which, the Queen began to think of fit Meaſures to be taken to furniſh his *Portugueze* Majeſty, with the Aſſiſtance promis'd him, and therefore the Fleet, then ready to Sail, under the Command of Sir *Cloudeſly Shovel*, was order'd forthwith to proceed to *Lisbon*; and at the ſame time, Her Majeſty appointed the Duke of *Schomberg*, to be General of the *Engliſh* and *Dutch* Auxillaries deſign'd for that Service: The beginning of *July*, Sir *Cloudeſly Shovel* Sail'd from St. *Hellens*, with the *Engliſh* and *Dutch* Fleets, to give the *Portugueze* ſome Countenance, till the Land Forces ſhou'd arrive; and on the 24th following, The Fleet Anchor'd before *Caſcais*, about four in the Afternoon, and that very Evening Sir *Cloudeſly Shovel* ſent Sir

Staffard

Stafford Fairborn, Vice Admiral of the Red, to *Lisbon*, to acquaint his *Portugueze* Majeſty with the Arrival of the Confederate Fleet, at the ſight of which, the *Portugueze* were the more rejoyc'd, for that they were not without fears of being Inſulted by a *French* Squadron, which was reported to be deſign'd againſt them. It being late when Sir *Stafford Fairborn* reach'd *Lisbon*, he had Audience of the King on the 25th, and was then receiv'd with all imaginable Marks of Reſpect and Eſteem. Afterwards, Sir *Stafford* waited on the Queen *Dowager* of *England*, and then return'd to the Fleet, extreamly ſatisfy'd with the Honours done him. Two days after, the King of *Portugal* went to St. *Anthony*'s Fort, from whence he had a full view of the whole *Engliſh* and *Dutch* Navy, drawn up in the Form of a Half-Moon, and was wonderfully pleas'd with that Proſpect: The ſame day, the *Pembroke*, *Monmouth*, *Orford*, *Litchfield* and *Hampton-Court*, that had been left behind at *Plymouth* to clean, joyn'd the Fleet, which having water'd, and brought Wines and freſh Proviſions, Sail'd the 31ſt from *Caſcais*. The King of *Portugal* ſent a Preſent of Refreſhments of all ſorts to the Admiral, valu'd at 2000 Cruiſadoes, but the Wind being fair, Sir *Cloudeſly Shovel* weigh'd, and ſet Sail before the Boats Arrival. 1703.

Sir *Thomas Hardy* was ordered to go with his own Ship, the *Bedford*, *Pembroke*, *Montague* and *Lizard*, along the Chriſtian Shore, and call at *Lagos* for Intelligence; the Governour of that Place, being Commanded by the King, his Maſter, to give Sir *Cloudeſly Shovel* what Information he could; and at the ſame time Captain *Norris*, with four Ships more, receiv'd Orders to look into *Cadiz*, to diſcover what Ships there were in that Harbour. The Grand Fleet had a fair Wind till they came to the Entrance of the *Streights*, where they found a ſtrong Levant that drove them along the Coaſt of *Barbary*. Captain *Norris* came in with ſome *Spaniſh* Boats, which reported, that they had at *Cadiz* but 8 *French* Galleys for the ſecurity of their Port; and Sir *Thomas Hardy*

brought a ſtout *Genoeze* Ship into the Fleet, who cou'd give no account of the *French*. Plying to Windward, they came to an Anchor in *Tangier*-Road the 9th of *Auguſt*, and the ſame day, the *Alcaide* of *Tangier*, ſent one *Cardinaſh*, who, about four Years before, had been Agent for the King of *Fez* in *England*, to Compliment Sir *Cloudeſly Shovel*, and to offer him what Refreſhments the Country afforded. The Fleet remain'd there three Days, during which time, the Sea-men went freely Aſhoar, and bought freſh Proviſions. The *Alcaide* made ſome Preſents to the Admirals, and chief Commanders, and order'd about 400 Horſe that were come with him from the Siege of *Ceuta*, to divide into two Bodies, and to skirmiſh upon the Shoar, to divert the Confederates with their Horſemanſhip. He profeſt a great Eſteem to the *Engliſh*, and ſaid, he wiſh'd that the Truce, which they had with the *Moors*, was converted into a laſtnig Peace.

The 12th of *Auguſt*, Sir *Cloudeſly Shovel* Sail'd from *Tangier*-Road, and with a Weſterly Wind got thro' the *Streights* that Night: But the *Levant* blowing afterwards pretty freſh, he made but little Way; and the Fleet beginning to want Water, ſtretched from Cape *de Gat* to Cape *Hony* in *Barbary*, to get ſome Water there. Thereupon the Admiral ſent a Boat with a Flag of Truce to acquaint the *Moors* with his Deſign, but the *Barbarians* anſwer'd that Civility with Musket-ſhots, and kill'd one of the Boats Crew, and Mortally Wounded the Lieutenant of the *Tartar*, who commanded the Boat, and died two Days after. The want of Water encreaſing Daily, and many Men dying through the exceſſive Heat, which the Calms they had from time to time rendred the more intolerable, a Council of War was held on the 29th aboard the *Triumph*, to conſider of the moſt proper place to put into. Some propos'd *Cagliari* in *Sardinia*, and others *Altea*, on the Coaſt of the Kingdom of *Valencia* in *Spain*; which laſt place being reſolv'd upon, they made uſe of the little Wind they had to get into it. The *Eagle*, commanded by the Lord *Archi-*

Archibald Hamilton, and the *Hampton-Court*, were ſent before, but the Governour fired upon them two Guns planted on a Tower, which, however, were ſoon ſilenced, and diſmounted, by the Shots from thoſe two Ships. Mean time the whole Fleet came in ſight of the place on the 31ſt of *Auguſt*, about two in the Afternoon, and the *Flamborough* was ſent cloſe to the Shoar to cover the Deſcent of the Regiments of Marines, who, to the Number of 2500 Men, landed, without any Manner of Confuſion, and were actually drawn up in Battalia upon the Shoar, before half the Fleet was come to their Anchors. Brigadier General *Seymour* landed with the firſt Detachment, and gave ſuch Orders, that never a more regular Deſcent was made in an Enemies Country. The Land Forces being thus got on Shoar undiſturb'd, form'd a Camp near the Place; and a Meſſage was ſent to the Gonernour, that they did not come as Enemies, but Friends: To which he made anſwer, *That he had a great Eſteem for the* Engliſh, *but, however, he was ſorry he was not in a Condition to oppoſe their Landing: That he would write to the Vice-Roy of* Valencia, *and if his Orders were ſuch, the Admiral muſt not take it ill if he ſhould fire upon his Men.* At the ſame time, the Admirals, *Shovel* and *Allemonde*, cauſed in their Names, a ſhort *Manifeſto* to be publiſh'd and diſpers'd among the *Spaniards*, containing in Subſtance, 'That purſuant to the Or-'ders of her Majeſty of *Great Britain*, and the 'States General, they did not deſign to give the 'leaſt Diſturbance to the good Subjects of *Spain*, but 'to protect ſuch, of them, who, remembring their 'ancient Obligation to the Houſe of *Auſtria*, ſhould 'ſwear Allegiance to their lawful Monarch, the 'Arch Duke *Charles*, and endeavour to throw off 'the Yoke of *France*. And as they would give their 'Aſſiſtance to thoſe of the *Spaniſh* Nation, that 'ſhould regard their Duty, and true Intereſt, ſo 'they would deſtroy the Perſons, Houſes and Goods 'of ſuch as ſhould oppoſe the Efforts, which ſhould 'be made for the Deliverance of that Valiant and

'Glorious Nation of *Spain*, from the Tyranny and 'Oppreſſion of *France*. This *Manifeſto* had that good Effect, that the *Spaniards*, ſeeing no injury was offer'd them, brought Plenty of all Refreſhments and Proviſions, which were paid them in ready Money. They profeſt a great hatred to the *French*, appeared very well diſpos'd for the Houſe of *Auſtria*, and drank to the Proſperity of the Arch-Duke. The Ships being provided with Water and Proviſions, the Marines return'd on Board the 3d of *September* in the Afternoon, and the ſame Evening the whole Fleet ſail'd for *Leghorn*: Where they arriv'd on the 19th. Ten Days before, Captain *Jumper* with the *Lenox*, *Ipſwich*, *Hampſhire* and *Dover*, ſail'd off of *Fermentera*, with the *Turkey* Fleet under his Convoy.

It has been mention'd before, That it was reſolv'd in the Court of *England*, to give relief to the *Proteſtants* in the *Cevennes*, who, with unparallel'd Courage and Succeſs, fought for the true Religion, and the good of the Common Cauſe. The better to ſucceed in this Enterprize, two *French* Refugees were ſent by Land into *France*, to acquaint the *Cevenois* with the Queen's good Intentions, that they might concur in rendring them effectual; and leſt theſe two Perſons ſhould miſcarry, the Marquis *de Miremont*, who, though eminently diſtinguiſh'd from the reſt of the *French* Exiles by his Princely Birth, did yet diſtinguiſh himſelf more by his extraordinary Zeal for the Proteſtant Religion; The Marquis, I ſay, diſpatch'd a third Perſon, to aſſure the *Cevenois*, that Her *Britannick* Majeſty, and her Royal Conſort, Compaſſionating their Condition, had reſolved, if poſſible, to ſupply them with all they wanted, and were ſending to them, by Sea, both Arms, Ammnnition and Money. The States of *Holland*, on their Part, beſides ſome Remittances of Money, ſent ſeveral Officers by Land into the *Cevennes*: But moſt of them were unfortunately taken at the Paſſage of *Pont St. Eſprit*, and either broke alive upon the Wheel, or made Gally-Slaves. Of all thoſe that were ſent either by *England* or *Holland*, none had the

the good Fortune to penetrate into, and return from the *Cevennes*, except the Marquis of *Miremont*'s Meſſenger, Mr. *David Flotard*, who ſtaid 6 whole days among the *Cevenois*, and having deliver'd his Meſſage, and acquainted them with the Signals that the *Engliſh* Fleet would make, and how they ſhould anſwer them by other Signals, he view'd their Troops, which, by reaſon moſt of them were then getting Harveſt in, conſiſted only of 6000 Men actually in Arms. This done, the chief Officers, at a Council held for that Purpoſe, gave the ſaid *Flotard* a Commiſſion to Sollicit in their Name, all the *Proteſtant* Princes and States in their Favour, and to aſſure the Marquis of *Miremont*, that they ſhould all be glad to have him for their General.

Beſides theſe Perſons ſent by Land into the *Cevennes*, there were three *French* Gentlemen Refugees, *viz.* Mr. *Portales*, Mr. *la Billiere*, and Mr. *Tempie*, Commiſſion'd to go aboard the *Engliſh* Fleet, under the Command of Admiral *Shovel*, to be Witneſſes of her *Britannick* Majeſty's good Intentions to relieve the *Cevenois*. The firſt of theſe Gentlemen being ſent for to the Council of War, of all the *Engliſh* and *Dutch* Flag Officers, held on Board the *Triumph* on the 29th of *Auguſt*, wherein, among other Things, it was debated how to put that Enterprize in Execution, Sir *Cloudeſly Shovel* told him, *That the Seaſon being ſo far advanc'd, and the Gulf of* Narbonne *and* Lions *ſo dangerous, they did not think it Prudence to hazard Her Majeſty's Fleet in a Coaſt unknown, and which had ever been ſo dreadful to the* Engliſh *Seamen, that in order to avoid it, they often choſe to go a hundred Leagues out of their Way; that he was very ſorry he could not perform himſelf ſo great a Service to the Brave* Cevenois, whom he call'd, *Friends, but that purſuant to the Reſult of their Conſultation, he would order two Men of War to go upon that Attempt, with a good quantity of Arms, Ammunition and Money; and that if they had the good Fortune to ſpeak with their Friends, and to deliver them thoſe Things, it would be eaſie for them to concert Meaſures with the* Cevenois

for their further Supply and Relief. The two Ships appointed to this Service, were the *Pembroke*, Commanded by Captain *Arris*, and the *Tartar*, under Captain *Cooper*, who, as ſoon as the Grand Fleet had taken in freſh Water at *Altea*, ſail'd a-head towards the Gulf of *Narbonne*, having the three before mention'd Gentlemen on Board, and two *French* Pilots beſides. The next Day, being the 4th of *September*, they took a *Tartane* near *Ivica*, of about 80 Tun, laden with Corn, and other Commodities, the Maſter of which, one *Trophy* by Name, was a *Frenchman* of *Agde*, a Town not far from the Gulf of *Narbonne*. As ſoon as he was brought on Board the *Pembroke*, he frankly told the *French* Gentlemen, That he knew what deſign they were upon; that he was at *Agde* when the Marſhal *de Montrevel* came there with ſeveral Ingeniers to view the Coaſt; that not being able to raiſe any Fortifications for the preſent, that Marſhal had order'd all thoſe that could carry Arms, to rendezvous at ſuch Places as he appointed for the Defence of the Coaſts, upon the Firing of the Guns from Fort *Breſcou*; and that all the *Lower Languedock* was under great Conſternation, being apprehenſive that the *Engliſh* would Land there, and relieve the *Camiſards*. This Account very much ſurpriz'd the *French* Gentlemen, who began to deſpair of the Succeſs of an Enterprize, of which the Enemy (which way they could not tell) had had Notice, and againſt which they had already ſecured themſelves. On the 11th of *September*, the *Pembroke* and *Tartar*, took three *French Tartanes*, and on the 15th, entred the Gulf of *Narbonne*, being oblig'd, through the Unskilfulneſs and Ignorance of the two *French* Pilots before mention'd, to commit themſelves to the Conduct of their Priſoners, particularly of *Trophy*, who, what through Threats, and what through Promiſes, prov'd very uſeful to them. On the 17th, they ſail'd in ſight of *Narbonne*, *Vlas*, *Beſiers*, and when they came before *Agde*, Fort *Breſcou* fired four Guns to alarm the Country, which was preſently in Arms. Being come before *Cette*,

two

two *French* Gallies came out of that Port, making directly towards the *Engliſh*. Thereupon Captain *Arris* made as if he would ſheer off, to draw the Enemy further off from Shoar, but the *French* perceiving his Feint, ply'd their Oars amain, and return'd into Port. So that having run all the hazards poſſible, and receiving no Anſwer to the Signals agreed on, beſides the approaching Danger of the Seaſon on that difficult Coaſt, it was reſolv'd they ſhould return to the Grand Fleet, which they found at *Leghorne*.

Having carried Matters thus far in Relation to the Progreſs of the Fleet; let us return a little nearer Home, and attend the Meeting of the *Scotch* Parliament, where we ſhall find things very warmly Debated: Her Majeſty's Gracious Letter being Read, and being follow'd by the Speeches of the Lord High Commiſſioner, and the Lord High Chancellor: The Draught of an *Act for Recoguizing and Aſſerting Her Majeſty's Authority, and Her undoubted Right and Title to the Imperial Crown of that Kingdom*, was offer'd by the Duke of *Hamilton*, and being read, was order'd to be read a ſecond Time by Unanimous Conſent. Nine Days after the Chancellor mov'd, that it ſhould receive a ſecond Reading, in order to be paſt; but before it went to the Vote, the Queen's Advocate offer'd a Clauſe, by which *it ſhould be Treaſon to Quarrel Her Majeſty's Right and Title to the Crown; or Her Exerciſe of the Government from Her Actual Entry to the ſame.* This Clauſe being read, it was urg'd by ſome, that it was diſhonourable to Her Majeſty, ſeeing it meant as if the Houſe were giving Her Majeſty an Indemnity for her Actings and Exerciſe of her Power, ſince her Acceſſion to the Throne. It was anſwer'd, That the Words meant only in general her Majeſty's Right to Exerciſe her Power; to this it was reply'd, That whatever was the meaning of thoſe who had offered the Clauſe, yet the Words of the Clauſe can admit of no ſuch meaning; unleſs either the laſt part of the Clauſe were entirely cut off, or that the Words——*Her Exerciſe of the*

Government was alter'd thus, *Her being in the Exerciſe of the Government, for the Right to the Exerciſe of the Government.* To this again it was anſwered in behalf of the Clauſe, That by the late Queen *Mary*'s Death, without Heirs of Her Body, the Right of Succeſſion came to the Queen, upon the Proſpect of King *William*'s Death, ſeeing, by the Entail, ſhe was to Succeed *before any Children* of his Body: But that the Right of Exerciſe did never accrue to her until his actual Death, and Her Majeſty's actual Acceſſion; and that *therefore* it was proper not only to *Recognize her Right* to Succeſſion, but alſo to Recognize her actual Exerciſe, and to ſecure both by a Sanction of Treaſon. To this it was anſwer'd, That theſe two Rights ſpoke of, do not import any other than the apparent Right of an Heir before his immediate Predeceſſor's Death, and the Right of an Heir after the immediate Predeceſſor's Death: The firſt of which does naturally vaniſh upon the exiſtence of the ſecond; That the Act as at firſt offer'd by the Duke of *Hamilton*, does fully Recognize theſe, and all manner of Rights which are, or can be in her Majeſty's Perſon; but that the Clauſe now offer'd does moſt diſhonourably ſuper add a Ratification and Sanction of her Majeſty's Exerciſe, and muſt point at one of theſe three Things, Either it ſuppoſeth that there has been ſomething Lame and Defective in her Majeſty's Rights and Titles above mentioned, which hath been ſince Her *Actual Acceſſion ſupplied by her* Majeſty's Acts of *Adminiſtration* and Exerciſe, and therefore her Exerciſe is propos'd to be ratified towards Convalidating Her infirm Title. That it was his Opinion, That there was not the leaſt Defect in Her *Majeſty's Right and Title*, and therefore this Clauſe is Unneceſſary and Dangerous. Or, in the ſecond place, the *Clauſe* would Inſinuate that her Majeſty ſince her Acceſſion, *hath exerciſed* ſome Acts of Adminiſtration, to Indemnify which a Vote of this Houſe ſeems neceſſary, *That whatever* may be charged upon her Majeſty's Miniſtry, It is the *Higheſt* Indignity done to her Majeſty to expoſe her Exerciſe of

of her Royal Power to the leaſt ſuſpicion by *ſuch a Clauſe*. For which reaſon this Clauſe is Diſhonourable to her Majeſty. And therefore, in the laſt place, there can no other reaſon be found for the Tenaciouſneſs of her Majeſty's Miniſtry, in promoting a Clauſe ſo Diſhonourable to our Queen: But that they themſelves muſt be Conſcious, that contrary to Law they have *been* Inſtrumental in adviſing her *Majeſty to Exerciſe ſome Acts of Adminiſtration*, Such as the calling together of the late Parliament, which had continu'd during all the *time of the late Reign*, and promoting in it, ſome *Commiſſions*, *Laws and Powers*, which were *plainly* beyond the Limitations, which determined *the Being* of that Parliament, and Circumſcrib'd its Power. And being ſenſible that this their Advice, may very juſtly rebound upon themſelves, *They* ſhuffle in this Diſhonourable Clauſe, very needleſly juſtifying her Majeſty's Exerciſe of *her Royal Power*, hoping *under the Name* of her Majeſty's Exerciſe to ſhelter themſelves, who were both the Adviſers and Executors; That, whatever may become of this Clauſe at this time, It was hop'd the Wiſdom of this Houſe will in due time give a proper Cenſure to theſe Adviſes, which are like to diſcompoſe her Majeſty's Quiet, and endanger the Welfare of her Nation.

My Lord Chancellor, Said the Duke of Hamilton *on this Occaſion:*

'I Had the Honour to offer this Act of Recognizing 'her Majeſty's *Authority*, Right and Title. I 'was very hopeful that ſo dutiful an Act wou'd have '*paſt the Vote* of this Houſe, with all Imaginable 'Chearfulneſs; and I am both Sorry and Surpriz'd 'to *find any thing* thrown in, which can Create the 'leaſt Demurr in it. But let them anſwer for it, 'who are the Authors. After a long Debate, it was again moved, that in place of theſe Words, *Her Exerciſe of the Government*: The following Words might be added, *Her being in the Exerciſe of the Government*,

vernment, and thereupon the Vote was Stated--Add the Clauſe as brought in by the Advocate, or as ſtated thus, and it was carried—— Add the Advocate's Clauſe.

Four Days after, the Commiſſioner call'd for the Act Recognizing her Majeſty's Authority, and gave it the Royal Aſſent. But before that was done, the Duke of *Hamilton* deſir'd that it ſhould be remembred, that at paſſing this Act, it was expreſly declar'd, that the meaning *of the Advocate's* Clauſe cou'd affect only the Queen's *Exerciſe* of her Government, and not the *Actings* of her Miniſtry: And therefore that whatever Challenge, might be given afterwards to the *Illegallity* of the *Actings* of the late Parliament, might not be conſider'd as a Violation of this Act. After the Act had received the Royal Aſſent, the Earl of *Hume* preſented the Draught of an Act for a Supply: But before that Act was read, the Marquiſs of *Tweeddale* ſaid, he had an *Overture* to make to the Houſe, which he hop'd wou'd, by reaſon of its Importance, be preferr'd to all other Buſineſs. After ſome debate, it was agreed that both theſe *Overtures* ſhould be read, in order as they had been offer d to the Houſe, providing that nothing ſhould be ſpoke to either. And accordingly the Act for a *Supply* was read, and afterwards the Marquiſs of *Tweeddale*'s *Overture for a Reſolve of Parliament, That before all other Buſineſs, the Parliament ſhould proceed to make ſuch Conditions of Government, and Regulation in the Conſtitution of this Kingdom, to take place after the Deceaſe of her Majeſty, and Heirs of her Body, as ſhould be neceſſary for the Preſervation of their Religion and Liberty.* Both which *Overtures* were ordered to lye upon the Table.

On the 24th of *May*, ſome private Gentlemen, who in the late Reign had refus'd to qualifie themſelves according to Law, (and were thereby ſecluded from following their Employments, as Advocates) were upon their Petition to the Parliament admitted to qualifie themſelves, (by taking the Oath of Allegiance, with the Aſſurance) and were allowed to enter

ter to their Employments. Two Days after, the Commiſſioner from the Throne, ſaid, that having now ſat 20 days, he did not doubt, but they were all convinc'd, that the preſent State of Affairs required a Competent Supply for maintaining the Army: That a week before, there was an Act offer'd for a Supply by the Earl of *Hume*; that it had ever ſince lain upon the Table, wherefore he deſir'd it might now be read, in order to its being marked a firſt Reading: And that he did *Promiſe*, they ſhould have full time afterwards allowed them to go on other Buſineſs. Notwithſtanding this Speech, it was urged againſt the entring upon a *Supply*, that the Houſe had reſolved to Diſcuſs the remaining *Controverted Elections*, before any other matter of Conſequence ſhould be taken into Conſideration. The debate upon this Point, laſted ſome time, and ſome Members finding that the further Conſideration of the *Elections* was not yielded to; they moved, that the *Overture* made by the Marquiſs of *Tweeddale*, upon the 19th ſhould be taken into Conſideration.

Upon this, the Debate turn'd into a Competition, whether the Act of Supply, or this Overture ſhould take Place? And after ſome time ſpent in this Matter, the Debate was delay'd by conſent, till the next Meeting of Parliament: The Miniſtry endeavour'd to wave the Debate, and enter upon the Conſideration of the remaining Controverted Elections; but the *Overture* was inſiſted on, as being the Subject Matter of the laſt Days Debate, which had been by conſent delay'd till that time: Then the Marquiſs of *Athol*, in Conſequence of that Overture, offer'd an Act for the Security of the Kingdom, in Caſe of Her Majeſty's Deceaſe, which he offer'd to be read. It was objected againſt the reading of this Act, that no ſingle Act in the Terms of the *Overture*, could be offer'd till the Houſe ſhou'd firſt give their Opinions; whether the Houſe would give their Reſolve contain'd in the Overture or not: Therefore it was again inſiſted on, that the Series of the Buſineſs ſhould be determin'd by entring into the *Overture*.

And

And after ſome warm and angry Speeches, it was at length yielded to without a Vote.

At the ſame time, ſeveral other Acts were given in and Read; 1. *An Act for Ratifying the late Revolution, and all the Acts following thereupon.* 2. *An Act containing ſeveral Limitations upon the Succeſſour, after the Death of Her Majeſty and the Heirs of Her Body.* 3. An Act, *That after Her Majeſty's Death, and the failing of Heirs of Her Body; no Perſon coming to the Crown of* Scotland, *being at the ſame time King or Queen of* England, *ſhould as King or Queen of* Scotland *have Power to make Peace or War without Conſent of the Parliament.* 4. *An Act for ſecuring the true Proteſtant Religion, and Presbyterian Government.* 5. *An Act allowing the Importation of all ſorts of Wines, and other Foreign Liquors.* All which were ordered to lye upon the Table: Where we ſhall for a while, leave the *Scotch Parliament* to ſee what was doing abroad, the Armies by this time having taken the Field.

The *French* King having promis'd the Elector of *Bavaria*, a very Powerful Relief early in the Spring, order'd the Marſhal *Villars* to join him at all hazards; to facilitate which Enterprize, the ſaid Marſhal ſat down before Fort *Kehl*, and took it in a few days, and Count *Tallard*, who had rais'd the Blockade of *Traerbach*, was order'd to Reinforce *Villars*; with which Forces they advanc'd and fac'd the Lines of *Stolhoffen*, Commanded by the Prince of *Baden*, who with the Aſſiſtance of ſome *Dutch* Auxillaries, gave them ſo warm a Reception, that after ſeveral vigorous Onſets for four or five days, the two Marſhals were oblig'd to draw off, with ſome Precipitation. In the mean time, the Elector of *Bavaria* took *Newenburgh* by dint of Sword, and threatning to Beſiege *Paſſau*, Routed a Body of Imperialiſts that were advancing to Cover the Place: He then advanc'd and made himſelf Maſter of *Ratisbon*, and coop'd up the Imperial Forces under Count *Schilick*, in the Woods about *Paſſau*. But however, as all his Progreſſes would be of little effect, and his Ruin inevitable, unleſs join'd by the *French* Succours promis'd

mis'd him; he repreſented to the Marſhal *Villars*, that his Preſervation wholly depended on him, and that he could not ſubſiſt, if he were not very ſpeedily ſuccour'd; for notwithſtanding his Succeſſes, he could neither keep what he had got, nor maintain himſelf againſt the Powerful Forces that were drawing together to oppoſe him: Theſe preſſing Inſtances, with the fear of loſing ſo Serviceable an Allie; obtain'd *Villars* a ſecond Order from the *French* Court, to break through the Vale of *Kintzig*, and join the *Bavarians*, though with the hazard of his whole Army. Which after a difficult and tedions piece of Service he perform'd to the great Satisfaction of that Elector, and the King his Maſter. Where we ſhall leave 'em for a while, and attend the Campaign in *Flanders*.

The Duke of *Marlborough* having drawn the Army pretty early together on that ſide, reſolv'd to open the Campaign with the Siege of *Bon*, and accordingly, caus'd that Place to be Inveſted on the 24th of *April* (N. S.) by the *Pruſſian* and *Lunenburgh* Cavalry, under Lieutenant General *Bouleau*, and the next Day went himſelf to *Cologne*, whilſt the Infantry under Lieutenant General *Fagel* was coming to the Camp, where he arriv'd that Night, with General *Opdam*, and took his Quarters on the *Kruitsbergh*.

On the 26th, Lieutenant General *Coehorn* arriv'd by Water with the Veſſels and Pontons, and preſently a Bridge was laid over the *Rhine* at *Rhineſdorf*, from which Place the Beſiegers Camp extended as far as *Kruitsberg*. After ſome Conſultations among the Generals, the Town was order'd to be attack'd in three Places: The firſt, againſt the Fort on the other ſide of the *Rhine*, and the other Two againſt the City, and the Outworks that ſecur'd it. The firſt of theſe Attacks was Commanded by Lieutenant General *Coehorn*, having under him the Major Generals *Freiſheim* and *Erbervelt*, with Monſieur *la Rocque* for Chief Engineer; The ſecond by the Hereditary Prince of *Anhalt-Zerbſt*,

and

and Monſieur *Tettau*, with Monſieur *Hazard* as Chief Engineer; And the Third by Lieutenant General *Fagel*, with whom were join'd the Major General *Dedem* and St. *Paul*, with Colonel *Reinchard* for Chief Engineer. Twelve Regiments were order'd to each of theſe Attacks, who took their Poſts accordingly the 27th, and on the 3d of *May*, the Trenches were open'd and carried on with great Succeſs, and very inconſiderable Loſs, through the great Care of the Generals and Engineers. At the ſame Time the Batteries were rais'd with that Alacrity and Speed, and the Preparations for Miſchief appear'd ſo dreadfully, that the Governor ſent a Letter to the Duke of *Marlborough*, importing, That an Agreement had been made laſt Year, between the Electors *Palatine* and of *Cologne*, That the Cities of *Duſſeldorp* and *Bonn* ſhould not be Bombarded, in order to preſerve the Churches, Palaces, and other publick Buildings, the Performance of which he was order'd to requeſt from his Grace; and to declare withal, That unleſs the ſame were obſerv'd, the Elector of *Bavaria* would deſtroy the City of *Nieuburg*, belonging to the Elector *Palatine*. The Duke having communicated this Letter to the Elector *Palatine*, and conſulted with the other Generals, it was thought convenient that his Grace ſhould anſwer it in general Terms, 'That it was neither his Cuſtom 'nor his Inclination to deſtroy Cities or publick 'Buildings out of a propenſe Malice or Deſign, pro-'vided the Enemies Conduct did not put him upon 'ſuch Neceſſity. On the 8th of *May* the Batteries being ready, the Beſiegers began to Fire with good Succeſs: For the ſame Day, the Chain which held the flying Bridge, by means of which the Fort communicated with the Town, was broke by a Cannon-ſhot, and the Bridge ſtaved in pieces, and carried away by the Stream, notwithſtanding the Enemies Endeavours to ſave it. The next Day the Battery which play'd upon the Fort, made ſuch a Breach, that the General reſolv'd to Storm it; but the *French* not thinking themſelves ſafe there, ſet fire to their

Cazernes,

Cazernes, and retreated into the Ravelin, in order to get into the Town in Boats. The Beſiegers Diligence and Valour prevented their Deſign; ſo that the Commander of the Fort, and Thirty of his Men were made Priſoners, the reſt being either kill'd or drowned: A Succeſs ſo unexpected, that the Duke of *Marlborough* and General *Opdam* ſent Expreſſes to the States General to acquaint 'em with it. A little before the Gaining of this Fort, an unhappy Accident happen'd in General *Dedem*'s Attack, where a Hundred and Fifty Bombs, and as many Granadoes unfortunately took Fire, and were blown up, together with a Lieutenant and five Bombardeers, which however did not hinder the Beſiegers from making that Progreſs of which we have already given an Account; So that being now Maſters of the Fort, a great Battery was rais'd in it, which began to play on the 12th to the Number of Seventy Pieces of Heavy Cannon, and Eighteen Mortars, in order to make two Breaches, with a Deſign to Storm the Place from the Prince of *Heſſe*'s and General *Dedem*'s Attacks. The next Day, about Noon, the Beſieged, with about a Thouſand Foot, ſupported by all their Horſe and Dragoons, made a Sally upon General *Dedem*'s Attack, where the Beſiegers in the Trenches were at firſt put into ſome Diſorder, but ſoon recovering themſelves, they repuls'd the *French*, with the Loſs of about a Hundred Men kill'd on each ſide, and ſome Priſoners taken on both. All Things being now in a Readineſs to aſſault the Counterſcarp and Cover'd-way on the ſide of the Prince of *Heſſe*'s Attack, the Onſet began about Eight a Clock at Night, under the Command of Major General *Tettau*, and Brigadeer *Palandt*, the Prince being there in Perſon. The Beſiegers, ſeconded by the continued Fire, both from the Cannon and Mortars of ſeveral Attacks, forc'd their way forwards, drove the Beſieged from their Works, and lodg'd themſelves there: In which briſk Action General *Tettau* was wounded, with about Ten Officers, and a Hundred and Fifty Soldiers kill'd and wounded, together with

with the Engineer that commanded in the Works. So much Bravery in the Beſiegers, and ſuch an amazing Tempeſt of Artificial Thunder and Lightening, aſtoniſhed the Beſieged to that Degree, that fearing a ſecond Aſſault, the next Day they beat a Parley, and on the 14th of *May* ſurrendred the Place on Honourable Conditions, which were ſign'd by the Duke of *Marlborough*, and Monſieur *d' Alegre* the *French* Governor.

While the Duke of *Marlborough* was ſat down before *Bonn*, the *French* Marſhals that commanded in *Flanders*, viz. *Villeroy* and *Boufflers*, thinking to have ſurpriz'd the Confederates, that lay diſpers'd about *Maeſtricht*, and to have Bombarded the Town it ſelf, and after that to have fallen upon *Liege*, on the 9th of *May* (N. S.) at Night, advanc'd of a ſudden into the Neighbourhood of *Tongeren*, with an Army of about Fourty Thouſand Men; *Boufflers* coming up with part of theſe Forces on the one ſide of the Town, and *Villeroy* with the reſt on the other: So that the Confederates who were marching to have poſted themſelves in that Place, were forc'd to retreat with ſpeed under the Cannon of *Maeſtricht*. In the mean time, the Enemy fell upon *Tongeren*, where two Battalions of Foot, one of *Elſt*, the other of *Portmore*, were quarter'd, and who defended themſelves with extraordinary Bravery for Twenty eight Hours, but then were forc'd to yield at Diſcretion. This vigorous Reſiſtance gave the Confederates an Opportunity to draw together before *Maeſtricht*: So that when the Enemy advanc'd forward, with a Deſign as was ſuppos'd, to have forc'd the Confederate Cavalry to repaſs the *Maes* at *Nimeguen*, and the Foot to retire under the Outworks of *Maeſtricht*, and there to have ply'd 'em with their Bombs, they found to their great Diſappointment, the Confederate Army under General *Overkirk* drawn up in order of Battel, advantagiouſly poſted and ready to engage 'em, though much inferior in Number. This put the Two Marſhals to a ſtand, ſo that they knew not what to do, and the Confederates might eaſily perceive

perceive how much they fluctuated in their Reſoluti- 1703.
ons. They firſt appear'd about Seven a Clock in the Morning in order of Battle, upon the Hill call'd *Duysburgh*, with the greateſt Part of their Army; from whence they made ſeveral inſignificant Motions, ſeeming all to tend to the Attacking of the Confederates Right Wing; which the Confederates obſerving, poſted an *Engliſh* Brigade in the Hedges of *Lonaken*, to cover their Right Flank, and a Regiment of Dragoons was poſted near the Church of *Lonaken*, to ſupport a Hundred and fifty Foot, placed in the Church-Yard to defend the Paſs from the Heath of *Beſſmere*. And indeed, where-ever the Enemy ſeem'd to bend their Strength, the Confederate Generals were careful to double their Oppoſition. About Ten a Clock the ſame Forenoon, the Enemy made a general Motion of all their Forces, ſending down ſeveral Brigades of Foot in Two Columns from between *Duysburgh-hill*, and the Village of *Veltweſſen*; From whence the Confederate Generals concluded, that they were marching directly towards 'em. But when they came within Reach of the Cannon, they made a Halt both with their Brigades, and the main Body of their Army, the Brigades ſtretching themſelves out, their Right toward *Duysburgh*, and behind *Veltweſſen*.

Thus both Armies ſtood gazing one upon another till Three in the Afternoon: When the Two Marſhals, finding all their Motions to no purpoſe, and not daring to adventure the Attacking of the Confederates, march'd back the ſame way they came, to *Tongeren*. Leaving to General *Overkirk* all the Honour of that Day: For 'twas his Prudence, Experience and Valour, that preſerv'd the Confederate Army from total Ruin.

Soon after *Bon* was taken, the Duke of *Marlborough* return'd to the Army of the Confederates, conſiſting of a Hundred and Thirty Squadrons, and Fifty Nine Batallions, and ſet forward toward *Liege*, as well to ſecure that Place, as to force the Enemy to decamp from *Tongeren*, where the *French* Army,

conſiſting of Sixty and odd Batallions, and above a Hundred Squadrons, ſeem'd to be very advantageouſly poſted. To which purpoſe, the Duke march'd the 25th of *May*, from *Hatch* near *Maeſtricht*, and having paſs'd the River *Jecker*, advanc'd to *Hautin*, where the Enemy intended to have forrag'd that Morning; but upon Notice of the Confederates Approach, remov'd to ſome farther Diſtance, where they continued under their Arms that Night, though upon the Confederates Advancing to *Nieudorp*, they march'd with great Precipitation to *Bockworn*, not daring to ſtand the Hazard of a Battel. They alſo quitted *Tongeren*, after they had blown up the Walls and the Tower. The Duke follow'd 'em, and advanc'd within half a League of their Camp, but the *Jecker* parted the two Armies, and the Enemy had ſecur'd all the Bridges and Paſſes of the River: Nevertheleſs, they thought themſelves not ſafe for all this, but retreated to *Hannuye*. 'Tis true, that upon the Duke's Advancing to *Thys* and *Lamin*, the *French* drew up in Order of Battel, and ſent away their Baggage, as if they intended to have fought: But their Courage fail'd 'em once more, and ſo they retired within their Lines.

His Grace finding it impoſſible to bring the *French* to the Deciſion of a Battel, it was reſolv'd to force them in their Entrenchments, which General *Coehorn* and Baron *Spaar* perform'd with Succeſs in the Country of *Waes*. The firſt commanded one Attack in a Place call'd the *Hook van Callo*, where without much Reſiſtance, and with inconſiderable Loſs, he made himſelf Maſter of a Redoubt, call'd St. *Anthony*'s *Hook*, and of the *Pearl Fort*: But Baron *Spaar*, who commanded the other Attack, near the Village of *Stoken*, met with great Oppoſition from Eight Batallions of the Enemies regular Foot, and Six Thouſand of the Country People, who made a more vigorous Defence than the Diſciplin'd Men, and by their Firing from the Houſes of the ſaid Village, very much annoy'd the Confederates, after they were got into the Lines: Which obliged

oblig'd Baron *Spaar* to order, that no Quarter ſhould be given them. In this Action 1200 Men, of Baron *Spaar*'s Detachment were ſlain and wounded; among whom were ſeveral Officers of Note, particularly two Brigadier Generals wounded, and Monſieur *de Vaſſy*, Governour of *Sas van Ghent* killed. As for the Enemy, beſides their Slain, about Eighty of their common Soldiers were made Priſoners.

The univerſal Joy upon this conſiderable Advantage, was ſoon after interrupted, for a time, by an Expreſs ſent by General *Opdam* from *Breda* to the States, with an Account, 'That the *French* near 'Antwerp, having receiv'd a conſiderable Reinforce-'ment from their Main Army, came out of their 'Lines the 30th of *June*, and ſurrounded the Body 'of the Confederates Forces under his Command, 'and had entirely routed them; and that he had e-'ſcaped to *Breda* with only Thirty Horſe, and 'could give no further Account of thoſe Troops. This put all the *Hague* in a general Conſternation: The States General met immediately, and after they had ſat in Conſultation till one in the Morning, diſpatch'd away Monſieur *Geldermanſen*, with two Deputies more, with Money and Inſtructions, to prevent, as much as might be, the ill Conſequences of this ſuppoſed Diſaſter. But theſe Commiſſioners in their way towards the Frontiers, met with a Courier diſpatch'd by Monſieur *Hop*, Treaſurer-General to the States, and their Deputy in that Army, with a Letter to the States, which they open'd, and finding in it a quite contrary Account, they return'd to the *Hague*. Monſieur *Hop*'s Letter was as follows:

High and Mighty Lords,

UPON *my Arrival two Days ago at the Camp at* Eckeren, *an Expreſs arrived there with Letters from the Duke of* Marlborough, *and Monſieur* d' Auverkirke, *giving an Account of their March, and that the Enemy decamped at the ſame time, and advanced towards the* Demer, *from whence the above*

named Generals judged that it would be easie for the Enemy to send Succours to the Lines near Antwerp, *and therefore we on this side ought to be upon our Guard: That however they would with the main Army observe the Enemy as narrowly as was possible; and in case any such Detachment were made, they would do the like. This Advice coming at the same time that one of our Spies brought an Account, that a great Body of Horse from the* French *Army was advanced towards* Dieſt, *it was resolved in a Council of War that Afternoon, That since our Camp at* Eckeren, *wherein we had no more than Thirteen Batallions, and Twenty Squadrons, lay wholly exposed and defenceless on the side of the Left-Wing; and that the Enemy coming with a Superior Power, might not only cut off our Communication with* Bergen op zoom *and* Breda, *but also with* Lillo, *it was most advisable to send our heavy Baggage to* Bergen op zoom, *which was done that Night, and upon further Advice of the Enemies Motions, to change our Camp, and draw near to this Place. But Yesterday about Noon we had Advice, That the Enemy were come out of their Lines with a great Number of Troops, and soon after the advanced Guards of our Left-Wing had sight of them. Our Generals repaired thither, and soon observed that the Enemy, with a great Body of Forces, was filing off towards* Howen *and* Stabroek, *and that thereby it was plain, their design was to cut off our Retreat: It was thereupon resolved, That to prevent this, the Army should immediately retire; but this could not be done so soon, but that the Enemy appeared as well before and behind, as on each side of our Camp; and soon after the Armies engaged, and the Battel was very sharp on all Sides, and lasted from three in the Afternoon till it was dark Night, and often with dubious Success, till at length, through the undaunted Bravery, never enough to be praised, both of your High and Mightinesses own Troops, and those of Foreign Princes in your Service, one of the most considerable Posts, and through which we were obliged to March to come hither, namely, the Village of* Otteren, *was taken by Force,*

Force, and maintained by our Men. The Cavalry, Commanded by Major General Hompesch *(who according to the Report of the Generals, ſignalized himſelf in a very extraordinary Manner) behaved themſelves in this Fight as bravely as could poſſibly be; and they on our Left Wing, together with the Foot, not only ſuſtained the Enemies Fire, which was very great, with exceeding Reſolution for above three Hours, but alſo obliged them to retire. In this occaſion, Lieutenant General* Fagel *received two Wounds, one in his Head, and the other in his Foot, but neither of them Dangerous; and Colonel* Pallandt, *who Commands Monſieur* d' Opdam's *Regiment, and Monſieur* Bauditz, *Colonel of one of the Regiments of Dragoons of Holſtein, were alſo wounded; Colonel* Kanenburgh *was killed. The Enemy in the beginning of the Fight had taken our four Pieces of Cannon, but were ſoon obliged to quit them, and our Men took one of theirs, with ſome Ammunition, ſeveral Pair of Kettle-Drums, two Standards of the* Gens d' Arms, *and ſome Colours, and took the Colonel of the Regiment* du Maine, *a Lieutenant Colonel, and many other Officers of leſs Note, Priſoners. A great many of their Men remained upon the Place, and according to the Report of Priſoners, above four Hundred of their Wounded Men were brought to* Eckeren, *beſides which they ſent a great number to* Stabroek, *and other Places. As to the number of Men, who have been killed or wounded on our ſide in this ſo ſharp, and ſo long a Fight, it is impoſſible for me to give an Account thereof as yet. Monſieur* d' Opdam, *who for a time was giving Orders every where, is ſince miſſing, and a Lieutenant, who is a Priſoner here, affirms, that he was taken, and carried to* Antwerp. *The reſt of the Generals, except Monſieur* Fagel, *are all in good Health. The Regiments of* Fagel *and* Frieſheym, *the* Walloon *Regiment of* Naſſau, *and one of the Regiments of* Munſter, *having ſuffered moſt. The ſaid Generals have greatly diſtinguiſhed themſelves in their reſpective Poſts; and it is owing to their Bravery and Conduct, ſeconded by the undaunted Courage of our Troops, (next to the ap-*

parent Bleſſing of Almighty God) that the Enemy, who according to the unanimous Confeſſion of the Priſoners, had Thirty Three Batallions, Fourty Seven Companies of Granadiers, and Thirty Two Squadrons, Commanded by the Marſhal de Boufflers, *and the Prince* Serclaes *of* Tilly, *did not wholly cut off and ruin our Army, which, as is aboveſaid, conſiſted of no more than Thirteen Batallions, and Twenty Six Squadrons. The Army remained under Arms all Night, and by break of Day marched from* Otteren *to this Place, whither we have been come about Seven Hours, without meeting with any further Re-encounter. We have pitched our Camp with the Left towards* Berendrecht, *and the Right before this Fort towards the* Croſs *Fort. General* Coehorn, *who ſaw the Engagement from the other ſide of the* Scheld, *did laſt Night ſend over ſeveral Batallions to this Place, who are now encamped with us. I thought it my Duty, as ſoon as I came hither with the Army, after having been twice Miraculouſly preſerved in all the Action of Yeſterday, to give your High and Mightineſſes Notice by an Expreſs of what is above written; and Monſieur* Slangenburgh *will, with the firſt Opportunity after the Troops, who both Men and Horſes are extreamly fatigued, are refreſhed, have the Honour to give your High and Mightineſſes a further Account of the Particulars of this Action.*

Lillo, July 1ſt. 1703. I am, &c.

This Letter was the next Day confirm'd by another from Lieutenant General *Slangenburgh*, which the States having with great Satisfaction ſeriouſly perus'd, they came to the following Reſolutions upon it.

Wedneſ-

Wedneſday July 4th, 1703. *N. S.*

*RE*ceived *a Letter from Lieutenant General* de Slangenburgh *from the Camp at* Lillo *of the 2d Inſtant, containing an exact Relation of what paſſed in the Battle betwixt the Troops of this State, and the Enemy near the Villages of* Eckeren *and* Otteren; *upon which, having deliberated, it is reſolved that the ſaid Lieutenant General* de Slangenburgh *have Thanks, and by theſe Preſents we do thank him for his good Conduct, Zeal, Courage and Conſtancy, which he ſhew'd in the ſaid Fight; and that it be ſignified to him, that their High and Mightineſſes are alſo very well ſatisfied with the good Conduct and Valour of the other General Officers, as alſo with the extraordinary Valour and Courage diſcovered as well by the Superior and Inferior Officers, as by the common Sentinels, Horſe and Foot, who have ſo bravely maintain'd the Honour of the Troops of this State, and have perform'd what they owe to the Service of their Country; and that the ſaid Monſieur* de Slangenburgh, *ſhall ſignifie to every one of them, in form and manner moſt convenient, the Satisfaction of their Highneſſes in this Matter; and that General* Slangenburgh *ſhall have Notice that their Highneſſes have already ſent Deputies to* Bergen op zoom, *with full Power to change the Regiments that are moſt weakned, and to take Order in ſuch other Affairs as demand quick Diſpatch.*

All this while the D. of *Marlborough* held daily Conſultations, and uſed all poſſible Stratagems to bring the *French* to an Engagement; but failing in his Deſign, his Grace attended with ſeveral General Officers, and a Guard of Four Thouſand Horſe and Dragoons, went to view the Enemies Lines. Lieutenant *Benſon*, of the *Engliſh* Royal Regiment of Dragoons, with about Thirty *Engliſh* being detach'd, fell in with one of the Enemies Out-Guards of Forty Horſe, who after one diſcharge retired, and were chaſed by the *Engliſh* to the very Barrier of their

Entrenchments, which gave the Confederate Generals an opportunity to view them within Musket-ſhot: And from that Day his Grace laid a Scheme to force them; but the Execution of that Project was induſtriouſly put off from time to time by the Deputies of the States General.

On the 16th of the following Month, Count *Noyelles*, with a Detachment from the Grand Army, arrived before *Huy*; and upon his approach the Governor broke down the Bridge between the two Towns, and retired with his Garriſon into the Caſtle, and the Fort St. *Joſeph*, Fort *Picard*, and Fort *Rouge*, or *Red Fort*. Notwithſtanding the Fatigues the Confederate Troops had undergone in a moſt difficult March, all poſſible diligence was uſed for opening the Trenches, which was done the 17th in the Night. The Attack againſt Fort St. *Joſeph*, was Commanded by the Prince of *Anhalt*, and that againſt Fort *Picard*, by Colonel *Frederick Hamilton*, the only *Engliſh* Brigadier in the Army. The Trenches againſt the former were carryed on 190 Paces, but the Ingeneer who was to Conduct the Workmen to Fort *Picard*, by reaſon of the darkneſs of the Night, fell into a hollow way which carried him off from the ſaid Fort, and was the occaſion that the opening of the Trenches, on that ſide, was deferred till the next Night. The Approaches were continued with a great deal of Succeſs, and ſome of the Beſiegers Batteries being ready the 21ſt, began to throw ſome Bombs into the Works of the Enemy, and the next Morning to Fire with Cannon and Mortars upon Fort *Picard*, Fort St. *Joſeph* and the Caſtle, which continued till three in the Afternoon, when Fort St. *Joſeph* beat a Parley, as did alſo Fort *Picard*, and the *Red Fort*, about Seven in the Evening. The Garriſon deſired to retire to *Namure* with their Arms and Baggage; but that being denied, and no other Terms offer'd them, than either to Surrender Priſoners at Diſcretion, or retire into the Caſtle, the continual Fire of the Beſiegers obliged them at laſt

to

to abandon the Fort, of which the Confederates took Poſſeſſion: And Monſieur *Millon*, Governor of the Caſtle, refuſing to receive his own Men into it, they were forc'd to return into the Town, where they were immediately ſeiz'd and diſarm'd. Upon the taking of the Forts, the Batteries that had been rais'd againſt them, were remov'd, and they began to play upon the Caſtle, doing the Enemy much miſchief. The 25th, the Diſpoſitions were made for an Attack, and all the Batteries firing without Intermiſſion in the Afternoon, the Beſieged had above a Hundred Men killed and wounded, in which laſt Number were reckoned ſeveral Officers, and the Governor himſelf. Our Troops advanced in the mean time, and placed ſeveral Ladders at the Foot of the Caſtle; This was deſigned only for a Feint; but the Enemy believing we were in earneſt, beat a Parley about ſix in the Afternoon, offering to Surrender, upon Condition that they ſhould be allowed to March to *Namure*, with the uſual Marks of Honour. His Grace thereupon ſent a Meſſage to the Govenor, That notwithſtanding the Advantage we had, if they would lay down their Arms, all that belonged to the Officers and Soldiers ſhould be left them, and they ſhould be exchanged for a like Number of our Men, whenever the Mareſhal *de Villeroy* ſhould deſire it; and time was allowed them till three next Morning, to ſend a poſitive Anſwer. Upon the Governor's Refuſal, Orders were given for renewing the Aſſault; whereupon the Soldiers in the Garriſon refuſing to defend the Place any longer, the Governor accepted the Terms offered him, whereby he and his Garriſon, which, including thoſe who were in the Forts, conſiſted of Nine Hundred Men, Commanded by two Brigadier Generals, were to remain Priſoners of War, till the two Regiments taken ſome Months before in *Tongeren* by the *French* were releas'd. On the 27th of *Auguſt*, in the Morning, the Garriſon March'd out of the Caſtle, and were all diſarm'd, except the Officers, who by the Gene-

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Generosity of his Grace were allow'd to keep their Swords.

Three Days before, a Grand Council of War was held at the Confederate Camp at *Val-Notra Dame*, wherein were present his Grace, the Deputies of the States Generals, Monsieur *d'Auverquerque*, Monsieur *Slangenburgh*, the Lieutenant Generals, and several Major Generals. The Question in Debate was, what Undertaking should be gone upon after *Huy* should be taken? And the Siege of *Limburg* being propos'd, the Generals, whose Names are subscrib'd, gave the following Opinion rather for Attacking the Enemies Lines between the *Mehaigne* and *Leuwe*, as an Enterprize that would contribute much more to the Glory and Advantage of the Arms of the High Allies: Being also of Opinion, That *Limburgh* might be Attack'd by a Detachment, when the Season is more advanc'd.

1. 'The Enemies having great Magazines at *Namure* for the subsistance of their Army, and we being by our Superiority in Number, in a Condition to give them Umbrage on that side, they will be oblig'd after we are possess'd of *Huy*, to put a great Garrison into that Place for the Security of their Magazines; our Superiority will then be so much the greater, and they will be the less able to oppose our Efforts.

2. 'We having here a level Ground before us of above two Leagues and a half in extent, where the Enemies Lines are weakest, it seems to be the only Place where we should chuse to attack them; and seeing our whole Army may act, it is to be believ'd, if the Enemy should stand us, it would be impossible for them to defend such an extent.

3. 'In case they should venture an Engagement with us, seeing 'tis what we have been seeking all this Campaign, we are of Opinion, we ought gladly to embrace the Occasion, because we have a greater Superiority at this time than ever.

4. 'If we do not attack the Enemy in this Place, with the finest Troops that can be seen, and such

'a Su-

'a Superiority as we cannot expect to have next 'Year, it will be evident not only to our Allies (to 'their great diſcouragement) but the Enemy may 'with Reaſon Boaſt, that theſe Lines which they 'will make ſtronger every Day, are an invincible 'Barrier againſt the Troops of the Allies.

5. 'In caſe we do not attack the Lines, there is 'no other courſe to be taken, than either to retire 'to the other ſide of the *Maeſe*, or to march away 'to the Right, to be near to the Mayory of *Bolduc*, 'there being no Forage left in theſe Parts. The 'firſt would be diſhonourable to the Arms of the 'Allies, for their getting the River between them 'and the Enemy, would look as if they durſt not 'ſtand them, and the latter might be very dangerous 'to the State; and beſides, the Enemy, by means of 'their Magazines, would be in a Condition to under-'take any thing: Whereas, if we attempt their 'Lines, ſhould they pretend to defend them, we 'may, with the aſſiſtance of the Almighty, hope to 'gain a compleat Victory, the Conſequence of 'which may be of more importance than can be 'foreſeen; and ſhould they think beſt to retire, 'there is ground to hope we might puſh forward ve-'ry ſucceſsfully, and draw mighty Advantages from 'it.

6. 'We conſider likewiſe, that the Enemy being 'Superior in *Italy*, and in the Empire, and being 'out-number'd no where but here, the Eyes of all 'the Allies are fix'd upon us, and they will have 'cauſe juſtly to blame our Conduct, if we do not do 'all that is poſſible to relieve them, by obliging the 'Enemy to call back Succours into theſe Parts, which 'is not to be done but by puſhing boldly.

Sign'd by his Grace.

Generals of the *Engliſh.* { *Cha. Churchil.* *Cutts.* *H. Lumley.*

Generals

Generals of the *Danes.* { *Cha. Rudolph* Duke of *Wirtembergh.* / *F. Scholten.*

Generals of the *Lunenburghers.* { *C. Somerfelt.* / *M. Bulow.* / *Earneſt Auguſt.* Duke of *Brunſwick.* / Count *de Noyelles.*

Generals of the *Heſſians.* { *Fred.* Prince of *Heſſe.* / *Spiegel de Dieſenberg.* / *A. Van Tettau.*

The Reaſons were oppos'd by the Deputies of the States, and the *Dutch* Generals, who would not conſent to Hazard their Troops in an Action, which, they ſay, was at beſt very dubious, and which, if attended with Succeſs, would yield no farther Advantage, than to find the Enemy retired into their fortified Towns; whereas on the contrary, ſhou'd the *French* get the Victory, the United Provinces would remain expoſed to their Incurſions. Thereupon the Project of attacking their Lines was laid aſide, and the Reſolution taken to Beſiege *Limburgh*; which was accordingly inveſted on the 10th of the following Month, by Lieutenant General *Bulau*, with Twenty four Squadrons of Horſe and Dragoons. On the 20th the Foot arriv'd, and the Cannon and Ammunition being come to *Liege*, his Grace follow'd the next Morning, with the Hereditary Prince of *Heſſe*, and a further Detatchment of Fifteen Squadrons, and Twenty four Battalions. By this time the Beſiegers had made themſelves Maſters of the lower Town, without Reſiſtance, and their Batteries being finiſhed on the 25th, they play'd Night and Day upon the upper Town. By the 27th the Breach was ſo wide, that the Confederates were preparing to give a general Aſſault; which the *French* perceiving beat a Parley: But all the Conditions they could obtain, were, That the

the Garriſon ſhould remain Priſoners of War; That the Officers and Soldiers might keep what was their own, and that the Officers ſhould be allowed twelve Wagons to carry their Baggage, provided they deliver'd up one of their Gates, within half an Hour after this Agreement. This being ſubmitted to by the Beſieged, and the Garriſon, conſiſting of One Thouſand four Hundred Men, having laid down their Arms, and being march'd out, the Beſiegers took Poſſeſſion of the Place, of which his Grace appointed the Baron *de Rechteren* to be Governor. This Conqueſt put an end to the Campaign in the *Netherlands*, which muſt be acknowledg'd to be very glorious, ſince, beſides the taking of three Important Places, *viz. Bonne*, *Huy*, and *Limburgh*, The Duke of *Marlborough* did all that lay in the Power of an able Commander to engage the Enemy to a deciſive Battle: But it ſeems the *French* were contented to ſtand upon the Defenſive in *Flanders*, where they were indeed Inferior, while their Superiority on the *Rhine*, and in the Heart of the Empire, gave 'em ſignal Advantages.

The Duke of *Marlborough* being inform'd of the King of *Spain*'s arrival at *Duſſeldorp*, His Grace left the Army then Encamp'd at St. *Tron*, and went to Congratulate his Majeſty on his Acceſſion to the *Spaniſh* Throne, in the Name of the Queen of *Great-Britain*. His Majeſty receiv'd him very kindly, and from thence his Grace accompanied him to the *Hague*.

In the Empire things were in a Dangerous and Diſtracted Condition; for the Elector of *Bavaria*, was ſo Elevated upon his late junction with the *French*, that he began to Tryumph over the Diet of *Ratisbonne*, and Publiſh'd a Manifeſto to juſtifie his Proceedings: And after ſeveral Conſultations between that Prince and the *French* General, it was agreed that the latter ſhould continue near *Donawert* to obſerve the Prince of *Baden*, while the Elector himſelf ſhould penetrate into *Tyrol*, in order to open a Communication with the the *French* Army in *Italy*; and this he

ſucceeded

ſucceeded in ſo well, that in ſix Days he ſubdued that large and fertile Country, making himſelf Maſter of all the ſtrong Holds therein; and afterward made a Tryumphant entry into *Inſpruck*, the Capital City, from which he demanded Homage, and a Monthly Contribution of 120000 Florins, beſides a vaſt quantity of Ammunition and Proviſion for his Troops: Nor did he ſtop here, but at the ſame time ſent out ſeveral Detachments to poſſeſs themſelves of the remaining Poſts upon thoſe Frontiers: But attempting afterwards to paſs the Mountains, and force his way into the Country of the *Griſons*, he was Repuls'd. During this, the *Tyrolian* Boors taking advantage of the Electors abſence, with ſome Officers and Soldiers in Diſguiſe, Attack'd and Cut in pieces the *Bavarian* Garriſon of *Czierl*, and made themſelves Maſters of *Scharmitz*, and advancing to *Hall*, the Inhabitants Mutinied, and Cut in pieces the *Bavarian* Garriſon left there, with their Commander. Theſe *Peaſants* had reſolv'd to advance to *Inſpruck*, and deſtroy all the *Bavarians* they could meet with, the whole Country being Privy to the deſign and ready to join them; which made the Elector return with all Diligence, to put a Stop to their farther Progreſs. And having retaken *Czierl*, *Scharritz* and *Hall*, he reveng'd himſelf on the Peaſants he found there: After which he endeavour'd to force his Paſſage through the *Lug* Paſs, or over the Mountain *Brenner*, but met with ſuch oppoſition, that he found himſelf oblig'd to retire out of *Tyrol*, being cloſely Purſu'd, or rather driven by the Valiant Peaſants.

In the mean time, the Duke of *Vendoſme* having long before receiv'd his Maſters Commands to break through *Tyrol* into *Germany*, in order to relieve the Elector of *Bavaria* and Marſhal *de Villars*, who was in a manner beſieg'd in his own Camp by Prince *Lewis of Baden*, put himſelf at the Head of 20 Batallions and 22 Squradrons, and by the Help of Count *d' Arco*, who Conducted him thro' unknown By-ways, ſoon ſurmounted the Mountain *Baldo*. But then being ſtopt in his Career by the

two

two Imperial Generals, *Vaubonne* and *Solari*, he was at a ſtand what further Courſe to take, having receiv'd Advice from *Tyrol*, that the Elector, who was to have met him, had been forc'd to retire to his own Frontiers. However, he continued Ravaging the Country upon the Lake *Di Garda*. and at length ſent a Detachment to beſiege the Caſtle of *Arco*, a little Town in the Dioceſs of *Trent*, and forc'd the Garriſon, conſiſting of 600 Men, to Surrender themſelves at Diſcretion, for want of Water and Ammunition. Encourag'd by this Succeſs, he advanc'd as far as *Trent:* Which Place, after he had rais'd ſeveral Batteries upon a Mountain that commanded the Town, he ſummon'd to ſend him Commiſſioners, to ſettle the Contribution they where to pay him, threatning otherwiſe to reduce that City to Aſhes. The Magiſtrates refuſing to comply with his Demands, he ſpent above 500 Bombs upon the Place; but in regard his Batteries were on the other ſide of the *Adige*, and the Town not within Reach, he thought it convenient to withdraw his Cannon and Mortars; all the Damage he did the City not exceeding the Value of 10000 Florins. On the 12th of *September* (N. S.) he retreated for Good and All from theſe Quarters, and marching back toward the *Sacra*, reveng'd himſelf upon the Country, burning all the ſtately Houſes of the Nobility and Gentry that he found in his way. This done, he haſten'd back to *Mantua*, having left Lieutenant-General *Vaubecourt* to conduct the Remainder of his Forces into *Italy:* for he loſt little leſs than 3000 Men, and thoſe the Choiceſt in his Army, in this fruitleſs Attempt.

Whilſt the Duke of *Bavaria* was buſie in his Expedition of *Tyrol*, there happen'd a Rencounter between the Count *de la Tour*, and a Detachment of Mareſhal *Villars*'s Army. The firſt having paſs'd the *Danube*, towards the latter End of *July*, between *Ehingen* and *Murdlingen*, with his Flying Camp of Imperialiſts, conſiſting of 4000 Horſe, the Mareſhal *de Villars* ſent out a Detachment, who paſſing near *Ulm* about Midnight, and being join'd by the Garriſon of that Place, conſiſting

conſiſting of 2000 Foot, fell with that Vigour upon the Count, that after a ſtout Reſiſtance, he was forc'd to retreat to *Riedlingen*, not without a conſiderable Loſs, particularly of Prince *Chriſtian* of *Hanover*, who endeavouring to croſs the *Danube*, miſtook the Ford, and was unfortunately drowned.

The Duke of *Bavaria*, having rejoin'd the Mareſhal *de Villars*, began to meditate the Repairing his Loſſes by the Taking of *Ausburg*. The Prince of *Baden* having Notice of his Deſign, haſten'd his March, croſs'd the *Iller* at *Tirthoffen*, paſs'd the River *Wettech*, and arrived ſoon enough to prevent him for that time: After which the Prince took in *Meiningen* and *Fridberg*; while the *French* and *Bavarians*, fell upon the Count *de Stirum* and Routed him: After which, the Elector ſat down before *Ausburg* and took it, delivering it to the *French* under their New General the Mareſhal *de Marſin*, who us'd the Inhabitants in a very Haughty and Tyrannical manner.

In the mean time, while the Imperialiſts were thus buſily employ'd in *Germany*, Mareſhal *Tallard* thought of ſitting down before old *Briſac*, and carried the Duke of *Burgundy* to be preſent at the taking of it, which he did after a Siege of 14 or 15 days, for which ſlender defence the Governor loſt his Head, after which the Duke of *Burgundy* return'd to *Verſailles*, and left the Mareſhal *Tallard* to Beſiege *Landau*, which he Inveſted on the 7th of *October*.

The Confederates knowing of what importance the preſervation of *Landau* would be to the Common Cauſe, after they had diſpos'd the reſt of the Army into the Winter-Quarters, order'd the Hereditary Prince of *Heſſe Caſſel* to attempt the raiſing of the Siege. He ſet forward from the *Netherlands*, with twelve Battalions and twenty nine Squadrons, and having reached *Altzey* in the *Palatinate* with very long marches, was there attended by Count *Naſſau Weilburg*, General of the Palatine Forces, in order to concert proper meaſures for the Relieving *Landau*, to which purpoſe he promiſed to meet his Highneſs between *Frankendale* and *Manheim*. The *French* having

ving notice of this march, ſent away M. *Pracontal* with a Body of 10000 Men, and Orders to follow the Prince cloſe at the Heels, or rather to get before him if he could; and indeed the *French* General was ſo diligent, that he join'd Mareſhal *Tallard* before the Confederates had any Intelligence of it. Upon the 13th his Highneſs encamp'd at *Hoop Spier*, within three quarters of a League of *Spier*, and four Leagues from *Landau*, where the reſt of the Troops under the Command of Count *Naſſau Weilburg*, join'd his Highneſs. Upon the 14th all things were prepar'd to attack the Enemy in their Lines upon the 16th enſuing; but upon the 15th, when his Highneſs expected to be join'd by a Battalion from *Mentz*, two of *Lunenburg*, one of *Heſſe Darmſtat*, and a Regiment of Horſe, Subjects of the ſame Prince, the Count of *Naſſau Weilburgh* came riding full ſpeed to the Prince's Quarters (where moſt of the Officers were Carrouſing and Celebrating St. *Leopold*'s Feaſt in Honour to the Emperor) and told him the Enemy was at hand marching directly to attack him, and deſir'd him to Command the Right Wing to their Arms. This did not a little ſurprize the Prince, becauſe the Count had all along aſſur'd him that Mareſhal *Tallard* was not in a Condition to come out of his Lines. However, he mounted immediately, and obſerving that the Palatine Quarter Maſter General had rang'd the Army in a very diſadvantagious place, where they lay expos'd in Flank to the Enemy, he diſpatch'd his *Aid de Camp* to the Count, to deſire him to march more ſlowly, that he might join him with his Right Wing. But this Meſſage ſignify'd nothing, for before the Adjutant return'd, Count *Naſſau Weilburg* had engag'd the Enemy, and at firſt had the advantage, having taken ſome of the Enemies Cannon; but then the Enemy renewing the Charge, fell on with ſo much fury upon the Foot, expos'd in Flank and Front to their Violence, that they were forced to retire in great diſorder, before the Right Wing, Commanded by the Prince of *Heſſe*, could come up to their Succour. By this means the Left Wing be-

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ing in this confuſion, the Enemy poured all their Forces upon the Right Wing, which hitherto they had in vain Attack'd with great loſs; but the defeat of the Left, having open'd a way for the Enemy to attack the *Heſſian* Foot in Front and Flank, they were forced to retreat after an Obſtinate and Bloody Reſiſtance, which continu'd from one in the afternoon, till Night, inſomuch, that after they had taken from the Enemy 16 Standards, 4 Guidons, and 3 pair of Kettle Drums, without loſing one of their own, they made an orderly Retreat to *Dadenhoven*, where they repaſs'd the *Spierback*, the Victorious Enemy not daring to purſue them. However the Mareſhal returning before *Landau*, that place Surrender'd, as the effects of his Victory.

Sometime after this the Garriſon of *Gueldre*, that had been ſeveral Months blockt up by the *Pruſſians*, Surrender'd to the Count *de Lottam*, by which the Allies became entire Maſters of all *Spaniſh Guelderland*. The moſt material Affair that happen'd in concluſion of this Campaign, was the Declaration of the Duke of *Savoy* for the Grand Alliance; who having concluded a Treaty with the Emperor, and acknowledg'd the Arch-Duke for King of *Spain*; His Royal Highneſs gave Notice of all his Proceedings to Her Majeſty of *Great-Britain*, and the States General; and ſoon after ſent Envoys into *England* and *Holland*, to ſollicit their Aſſiſtance. The Queen well knowing how uſeful the Duke of *Savoy* might be to the Common Cauſe, immediately aſſur'd him of her Friendſhip and Protection, and ſoon after ſent Mr. *Hill* Her Envoy to *Turin*, to concert Meaſures with his Royal Highneſs for Acting with Succeſs againſt the Common Enemy.

Having thus diſpatch'd the Affairs by Land; we are now to remember that we left the Confederate Fleet at *Leghorne*; where having got Water, and bought up moſt of the *Florence* Wine they found in the Cellars, and what other Proviſions they could find at *Leghorne*, ſail'd thence the 2d of *October*; and the ſixth, the *Pembroke*, *Exeter*, *Tartar*,

tar, *Flamborough*, and one Fireſhip, were detach'd with Orders to go to *Tunis* and *Tripoli*, to renew the Peace with thoſe Governments; and thence to proceed to *Scandaroon* to join Captain *Jumper*. The 18th Rear-Admiral *Bing* was ſent with another Squadron to *Algire* to renew the Peace with that Regency; and the 12th the Fleet had a Terrible Storm, but which did not much Damage, by Reaſon it did not laſt long. Ten Days after Sir *Cloudeſly Shovel*, with the Remainder of the Fleet, came into *Altea* Bay, where the *Spaniards* were very glad to ſee again the Confederates; and ſeveral of them openly declar'd for *Charles* III. King of *Spain*, and offer'd themſelves to ſerve on Board the Fleet, which was accepted. Having, with ſpeed, Water'd the Fleet, Sir *Cloudeſly Shovel* ſail'd on the 24th with a ſtrong *Levant*, and on the 27th, got at Night through the *Streights* Mouth. The next Day Sir *Thomas Hardy* with the *Bedford*, *Sommerſet* and *Lizard* under his Command, was ſent by the Admiral to *Tangier*, and the 30th the *Dutch* Parted from the *Engliſh*, making the beſt of their way Home. The ſame Day Sir *Cloudeſly Shovel* ſent five Ships under the Command of Sir *Andrew Lake* to *Lisbon*, and thence to *Oporto*, *Viana*, &c. to take under his Convoy thoſe Merchant Ships, which were bound for *England*: And having a fair Wind, and good Weather in his Paſſage, arrived in the *Downs* on the 17th of *November*. The *Orford*, *Warſpight* and *Litchfield*, which parted from him ſix Days before, met ſoon after with a *French* Man of War of 52 Guns and 500 Men, coming from *Newfoundland*, whom they engag'd, and took, after an obſtinite Fight of Nine Hours.

Sometime before, Admiral *Dilks* had receiv'd Orders from his Royal Highneſs Prince *George*, to look for a *Grand Partee*, ſaid to lye in *Cancali-Bay*; which the ſaid Admiral found off of *Granville* conſiſting of 45 Merchants, or Coaſters, and Three ſmall Men of War; who getting into Shoar, the Admiral order'd all the Boats in the Squadron to go in, who took 15, burnt 6, and ſunk 3, the reſt ſtood ſo far in the *Bay*,

that they cou'd not be attack'd by the Ships; 2 Frigots, with a Fireſhip, were ſent in with the Boats of 3 Men of War: One of 18 Guns the Enemy burnt themſelves, a Second of 14 Guns was ſet on Fire; and the Third of ſix Guns was brought off. Seventeen more of the Merchant Men were burnt and deſtroy'd, ſo that of the whole Fleet only Four eſcap'd.

It is now time to return to the Parliament of *Scotland*, which we left engag'd in a Multitude of buſineſs that crowded this Seſſions. On the firſt of *June*, an Act *for a Tolleration to all Proteſtants*, &c. was Read, and a Repreſentation given in againſt it.

This Repreſentation being read, there was offer'd, *An Act for a Triennial Parliament. An Act incapacitating Perſons having Penſions not annext to Offices, all Officers in the Army, and thoſe employ'd in the Cuſtoms or Exciſe, to have a Vote as Members of Parliament, in impoſing of Publick Burdens. An Act ratifying all the Privileges formerly granted to the Company Trading to* Africa, *and the* Indies, with ſeveral other Acts relating to Trade: All which were read, and order'd to lye upon the Table. The Act for ſecuring the True Proteſtant Religion, and *Presbyterian* Government, was alſo read, and order'd to be mark'd a firſt reading. And the Act for Security of the Kingdom, as offer'd by the Marqueſs of *Athol*, was not only read, but likewiſe order'd to be Printed.

Two Days after, the Act for ſecuring the *Proteſtant Religion* and *Presbyterian Government*, being again read, the firſt Part of it, for ſecurity of the *Proteſtant Religion*, was unanimouſly acquieſed in without a Vote; and the laſt part of it touching *Presbyterian Government*, being conſider'd, after the Addition of ſome Exception, touching the Allowance given to Miniſters qualified in manner therein expreſt, the whole Act was put to the Vote, and approv'd. Then the Act for the *Toleration* was again read, whereupon there enſued a very warm Debate, touching a Letter ſent by her Majeſty to the Privy Council, ſome Months before; but thoſe who deſign'd to appear for the *Toleration*, finding that this Heat and

Oppoſition

Oppoſition was principally rais'd by ſome of the Miniſtry, and their Dependants, they dropt the Debates, and did not preſs the Toleration. Four Days after the Act preſented by the Duke of *Argyle*, was read a ſecond Time, in the Terms following:

1. *OUR Soveraign Lady, with Advice and Conſent of the Eſtates of Parliament, Ratifies, Approves, and perpetually Confirms the firſt Act of King* William *and Queen* Mary's *Parliament, dated the 5th of* June 1689. *Entituled,* The Act for Declaring the Meeting of Eſtates to be a Parliament. *And of new Enacts and Declares, that the three Eſtates then Met together, the ſaid Fifth of* June 1689. *Conſiſting of Noblemen, Barons and Boroughs, were a lawful and free Parliament.* 2. *And it is declared, that it ſhall be High Treaſon for any Perſon to Diſown, Quarrel, or Impugn the Dignity and Authority of the ſaid Parliament.* 3. *And farther, the Queen's Majeſty with* 'Conſent 'aforeſaid, *Statutes and Declares, that it ſhall be High* 'Treaſon, *in any of the Subjects of this Kingdom to* 'Quarrel, *Impugn, or Endeavour, by Writing, or ma-* 'licious *and adviſed Speaking, or other open Act or* 'Deed, *to Alter, or Innovate the Claim of Right, or* 'any *Article thereof.* After ſome Debate; the firſt part of the Act, ratifying the Authority of the Convention, was yielded without a Vote. As to the ſecond Paragraph, there was no great Debate; but the third Paragraph, eſpecially that word *Endeavour*, rais'd a very warm Diſpute. During which, a great many Things were ſpoke, urging the dangerous Importance of this Act, both to the Government, and to the Subject. Then the Queſtion being, approve the Act or not? It was carry'd in the Affirmative.

On the 9th of *June*, the Draught of an Act enjoining the Aſſurance, was preſented by the Earl of *Melvill*, and read; as was alſo, the Draught of an Act againſt the impoſing of any Oaths and Declarations, other than thoſe already appointed by Law, given in by the Marqueſs of *Atholl*. This done, it

was reſolv'd, That the Committee for inſpecting the publick Accounts be nam'd immediately after the diſcuſſing the Elections: And then the Act *for the Security of the Kingdom was* taken into conſideration, and many Speeches were made, recommending to the Members to proceed in that matter with a great deal of Solemnity and Deliberation.

After the Houſe had entered upon Conſideration of ſome of the Clauſes of the Act of Security: It was repreſented, That before any further Progreſs could be made in eſtabliſhing a future Succeſſion, failing Heirs of her Majeſty's Body, it would be neceſſary to Reſcind the 2d. Act 3d. King *Charles* II. Eſtabliſhing the Succeſſion to the Crown in the next of Blood in the Royal Line, of whatſomever Religion. Upon which her Majeſty's Advocate took out of his Pocket an Act ready drawn for that Effect, to this Purpoſe, *viz.* Reſcinding the 2d. Act 3d. Par. King *Charles* II. *In ſo far as the ſame is inconſiſtent with the Claim of Right, and the preſent Settlement made in King* William's *Time.* Againſt this it was urg'd, That by this Clauſe they ſhould determine the Succeſſion to be lodg'd in the Family of *Hanover*, for by the Act mention'd of King *Charles* II. the Crown is entail'd to the next of Blood of the Royal Family; and by an Act paſt in King *William*'s time, Eſtabliſhing Presbyterian Government, and the Confeſſion of Faith, and by the Claim of Right, all Popiſh Succeſſors are excluded; ſo that the *Intermediate* Papiſts being, (by theſe Acts, and this Overture) Excluded, the Family of *Hanover*, who are the *neareſt Proteſtants of the Royal Blood*, muſt of conſequence fall to be Heirs. This Act as offer'd by the Advocate was puſht, in order to have a firſt Reading: But it was Vigorouſly Oppos'd, and at length the Queſtion was ſtated ——To give it a firſt Reading, or lye upon the Table; and it was carried ——Lye upon the Table by a conſiderable Majority.

On the 1ſt of *July*, the Act for the Security of the Kingdom was read, and a Member made a Speech, recommending, that in this Act they ſhould

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ſert ſuch Preliminaries in the caſe of a Succeſſor, not of the Queen's own Body, as ſhould ſufficiently ſecure this Nation againſt ſuch Misfortunes as have attended their preſent State through the Intereſt of Foreign Counſels. This was ſeconded by a great many Members; and after ſome further Speeches, it was agreed that the Act ſhould be gone upon Paragraph by Paragraph. The next Day the conſideration of the ſaid Act was reſumed, and it being reſolv'd that the Eſtates of the Nation ſhould meet upon the 20th Day after the Queen's Deceaſe: It was further reſolv'd, That the Government ſhould be lodg'd in the Hands of the Eſtates upon the ſaid 20th Day.

On the 7th of *July*, the Act for Security was further conſider'd, and a Clauſe added, Excluding Papiſts from being Members of the Eſtates. The next Day another Clauſe was offer'd, 'That no *Engliſh-*'*man* or *Foreigner*, having a *Scots* Title, and not ha-'ving an Eſtate of 1000 *l.* Sterlin, Yearly Rent, 'within this Kingdom, ſhall in the Event aforeſaid, 'have Place, and Vote in the Meeting of Eſtates. After ſome Debate, The Clauſe was put to the Vote, and carry'd in the Affirmative: But before Voting the Marqueſs of *Athol* proteſted, that this Vote might not prejudice the undoubted Right of all *Scots* Proteſtant Peers, to which Proteſt ſeveral other Peers adher'd.

After this, there was an Oath offered to be taken by the Members of the meeting of Eſtates---*To maintain the true Reform'd Religion, and the Claim of Right:* Againſt which it was urged by the ſame Peer, That he had formerly offer'd an Act againſt all Oaths, excepting the Oath of Allegiance; and that he now inſiſted upon the ſame Overture, giving ſeveral Reaſons for ſeconding his Overture. Upon which there was an Acquieſcence in the Houſe, that the Act under conſideration would be firſt gone through in all its Points, and that if afterwards any Motions of Oaths were offer'd, they ſhould be taken into conſideration. On the 7th of *July*, the Act of *Security* being proceeded in, it was mov'd, that ſuch Limi

rations as ſhall be thought neceſſary to be put upon the *Succeſſor* might be conſider'd, and particularly the Act touching Peace and War was inſiſted upon to be here added. Upon this aroſe a great Debate, and many Speeches. And at length, it was put to the Vote —— Proceed to Limitations upon the Succeſſor *in this Act*, Yea, or No? And it was paſs'd in the Negative by 26 Votes.

On the 9th of *July* it was moved, that there be a Reſolve of Parliament, That after the Act of Security of the Kingdom was adjuſted and Voted, The Parliament would take it into Conſideration, and determine a Motion now lying upon the Table, concerning the Power of making *Peace and War*, without any other Buſineſs intervening: Which gave occaſion to the renewing the former Days Debate touching Limitations. And then the Vote was Stated —— Enter into the Reſolve, that the Act of Peace and War ſhall come in next after the Act for Security was finiſhed, Yea, or No? And it was carried in the Affirmative by 43 Votes. Then the Act for Security was farther proceeded in, and upon a Debate whether the Regent or Regents to be named by the Eſtates in the Caſe of the Under Age of a Succeſſor ſhould continue, without being altered for the whole time of his Under Age; or for a Limited time? t Iwas by a Vote of the Houſe carried —— That this Matter ſhould be remitted to the Wiſdom of the Meeting of Eſtates.

On the 14th of the ſame Month the Clauſe empowering the Meeting of the Eſtates to declare a Succeſſor to the Crown of the Royal Line, and of the Proteſtant Religion, being taken into conſideration, it was moved, That the Words ſhould be added, *Of the true Proteſtant Religion as by Law Eſtabliſhed within this Kingdom.* Againſt which it was urged, that the Coronation Oath, was a ſufficient Teſt to engage the Succeſſor (being a Proteſtant) to maintain the Church as by Law Eſtabliſhed. To this it was anſwered, 'That ſince the Wiſdom of this 'Houſe had thought fit to exclude Papiſts, who pro-

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'feſt the Doctrine of *Tranſubſtantiation*, from having 'any Acceſs to a *Scots* Government: So he did ſee 'no Reaſon why *Lutherans*, who profeſs the Do-'ctrine of *Conſubſtantiation* ought not likewiſe to be 'excluded. After ſome Debate the Vote was Stated —add the Words offer'd to the Clauſe, or reſt upon the Security by the Coronation Oath? And it was carried, *Reſt upon the Security by the Coronation Oath.*

On the 16th of *July*, the *Act of Security* was proceeded in, and the following Clauſe was offered by the Earl of *Roxburgh* —— *Providing the Succeſſor to be named by the Meeting of Eſtates (in the event mention'd in the Act) be not the Succeſſor of the Crown of* England: *Unleſs in that this Seſſion of Parliament, there be ſuch Conditions of Government Settled and Enacted, as may Secure the Honour and Independency of the Crown of this Kingdom, the Freedom, Frequency, and Power of Parliaments, and the Religion, Liberty and Trade of the Nation from the* Engliſh *or Foreign Influence.* It was urged againſt the Clauſe, that it imported Limitations upon the Succeſſor, which had been by a former days Vote, excluded out of this Act. To which it was anſwered, That by this Clauſe, there were no Limitations deſign'd to be brought into this Act, but the Clauſe did only in general ſecure a *Capitulation*, for ſome proper conditions of Government; to be ſettled in this Seſſion of Parliament, *in Caſe the Nation ſhould think fit to name the ſame Succeſſor with* England, in the ſame manner as the other days Reſolve had made a *Capitulation* for the Act of *Peace and War* in particular. Then the Vote was put----Add the Clauſe, Yea, or No? On the other Hand, ſome Members finding the Zeal of the Houſe encreaſe, and being unwilling to ſuffer this to go to a Vote, did throw in a great many warm new *Expedients*, which occaſion'd a great many Speeches. And it being late, and the Houſe in great Heat and Confuſion, ſeveral Members preſt for a Delay. The Chancellor ſeconded this Motion, adding, That this Debate ſhould be reſum'd next *Sederunt*, nothing Intervening: And by the Com-

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miſſioner's Order, Adjourn'd the Parliament for four Days. Upon this Adjournment, the Houſe turn'd into an Uproar, and a Combuſtion, Remonſtrating that this was a plain Breach of the Liberty of the Subject, and Priviledge of the Parliament, by Adjourning the Houſe in the Middle of a Debate. Upon theſe ſeveral Heads, a great many Members did in the Houſe immediately proteſt againſt the Adjournment as *Illegal*, and took Inſtruments in the Regiſters Hands, and immediately thereafter withdrew, and fram'd an Addreſs to her Majeſty, which was Sign'd that Night, by about 60 Members, and by 15 or 20 next Morning.

On the 20th of *July*, It was moved that the Proteſtation taken the former Day againſt the Adjournment of the Parliament, as a Breach of Priviledge, and Interruption of their Reaſoning, ſhould be marked in the former Days Minutes; which was oppos'd by the Lord Chancellor. After a long and warm Debate touching the Forms, and Conſequence of Proteſtations in general, and the Import of the Act, King *James* VIth. and the Article of the Claim of Right mention'd in particular, at length the Matter was compounded thus, That the Chancellor ſhould add to what he ſaid—*That there was no manner of Deſign by that Adjournment to encroach upon the Priviledges of the Parliament*, and that this being digeſted together, ſhould be Printed and Publiſh'd as this Days Minutes. This was agreed to as a ſufficient Vindication *of the Privileges of the Members in Parliament*, and both ended the Debate, and put a ſtop to the Addreſs. The next Day, the Houſe went upon the Conſideration of the Clauſe offer'd by the Earl of *Roxburgh*: But after Reading it, there was another Clauſe offer'd by her Majeſty's Advocate. After this Clauſe was read, it was moved, That it ſhould be added to the *Act of Security*, in place of the Clauſe offer'd by the Earl of *Roxburgh*, and this Motion was ſeconded by all the Miniſtry, and their Dependences.

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On the 26th of *July*, the *Act of Security* was proceeded in, and the two ſeveral Clauſes of *Conditions of Government*, and *Communication of Trade*, as formerly conjoin'd, were brought in, in two ſeveral Draughts. The one preſented by the Earl of *Roxburgh*, and the other by the *Advocate*: And after reading both, it was put to the Vote, which of the two Draughts ſhould be gone upon? And it was by a Vote carried, that the Draught preſented by the Earl of *Roxburgh* ſhould be gone upon. When the Draught came to be conſider'd, it was moved by ſome of the Miniſtry immediately after reading the Clauſes, as conjoin'd, that they ſhould be again ſeparated. And that the firſt part of the Clauſe touching Conditions of Government, ſhould be taken into Conſideration by it Self: Urging for a Reaſon, that the one was a *general* Clauſe relating to *Conditions of Government*, and the other only a *ſpecial* Clauſe Relative to *Trade*. Therefore he mov'd the Vote—Add both Clauſes, Yea, or No? The Miniſtry, it ſeems, were reſolv'd to abandon their own Clauſe of Communication of Trade: And therefore did offer to go into the general Clauſe touching *Conditions of Government*, (which had been promoted by the other Party) hoping thereby to Engage them to drop the Clauſe of *Communication of Trade*; and accordingly the general Clauſe touching *Conditions of Government* was acquieſced to, without a Vote. But this had not the deſign'd Succeſs: For the other Clauſe touching *Communication of Trade*, was immediately inſiſted on, and here the Miniſtry urg'd againſt their own Clauſe, that the granting of this *Communication of Trade*, did depend upon the Nation and Parliament of *England*, and was a Condition that could not be perform'd by the Succeſſor of *England* without their conſent: And that therefore to ſtate this as a Condition upon the *Engliſh* Succeſſor, before he ſhould be admitted to be Succeſſor in *Scotland*, was the ſame thing upon the Matter, as to exclude the *Engliſh* Succeſſor intirely. After ſome farther Debate, and a great many warm Speeches,

Speeches, both the Clauſes were conjoin'd and ſtated thus —— *Providing always that the ſame be not the Succeſſor to the Crown of* England, *unleſs that in this preſent Seſſion of Parliament, and any other Seſſion of this or any other enſuing Parliament, during her Majeſty's Reign, there be ſuch Conditions of Government, Settled and Enacted, as may ſecure the Honour and Soveraignty of this Crown and Kingdom; the Freedom, Frequency, and Power of Parliaments; the Religion, Liberty and Trade of the Nation, from* Engliſh *or any Foreign Influence, with Power to the ſaid Meeting of Eſtates to add ſuch further Conditions of Government as they ſhall think neceſſary, the ſame being Conſiſtent with, and no ways Derogatory from theſe which ſhall be Enacted in this, and any other Seſſion of Parliament during her Majeſty's Reign. And further, but prejudice of the Generality aforeſaid, it is hereby ſpecially Statuted, Enacted and Declar'd, That it ſhall not be in the Power of the ſaid Meeting of Eſtates, to Name the Succeſſor of the Crown of* England *to be Succeſſor to the Imperial Crown of this Realm, nor ſhall the ſame Perſon be capable in any Event to be King or Queen of both Realms, unleſs a Free* Communication of Trade, *the* Freedom of Navigation, *and the* Liberty of the Plantations *be fully agreed to, and Eſtabliſh'd by the Parliament, and Kingdom of* England, *to the Kingdom and Subjects of* Scotland, *at the ſight, and to the Satisfaction of this, or any enſuing Parliament of* Scotland, *or the ſaid Meeting of Eſtates.*

Then the Clauſe was put to the Vote —— Add the Clauſe to the *Act of Security*, Yea or No? and carried in the Affirmative by 72 Votes.

Four Days after another Clauſe was offered, declaring —— *That it ſhould be High Treaſon to Adminiſter the Coronation Oath, be Witneſſes to the Adminiſtration thereof, but by appointment of the Eſtates of Parliament, in manner mention'd in the Act; or to own or acknowledge any Perſon as King or Queen of this Realm in the Reſpective Events mentioned in the Clauſe, until they had Sworn the Coronation Oath, and accepted the Crown on the Terms of the Claim of Right, and the other*

other Conditions to be ſettled in this, or any other enſuing Parliament, or added in the ſaid Meeting of Eſtates, and be thereupon declared and admitted as above, which Crime is declared Irremiſſible without Conſent of Parliament: Which, after ſome Debate, was added to the Bill. Then the Houſe took into Conſideration, where the Government ſhould be lodged in the Interval betwixt the Queen's Death, and the 20th Day at which the Meeting of Eſtates were to Meet, and aſſume the Government. The Miniſters propos'd, that it ſhould be in the Hands of the Privy Council in being at her Majeſty's Death; and others, that it ſhould be in the Hands of ſuch a Number of the Meeting of the Eſtates, as ſhould be at the Time, in or about the Town. And then the Vote was Stated----In the Hands of the Privy Council, or the Eſtates? The Miniſtry ſeeing that it would be carried for the latter, did offer a compounding State of a Vote, *viz.*----In the Hands of the Members of Eſtates alone; or in the Hands, both of ſuch of the Privy Council, and ſuch of the Members of the Eſtates jointly as ſhould on that occaſion offer to undertake the Adminiſtration. And this being put to the Vote, it was carried —— Members of Eſtates, and Privy Council *Jointly*, by a Majority of two Voices. On the 2d of *Auguſt*, the Commiſſioner ſignify'd to the Eſtates, that in regard a great many of the Commiſſioners from the Royal *Burghs* were to Meet in the Convention of *Burghs* that Week at *Glaſgow*, he thought fit to Adjourn the Parliament for ſome Days, and accordingly the Parliament was adjourn'd till the 7th. when the Chancellor mov'd, that they ſhould go upon the Buſineſs of the Day; and the former Days Clauſe being read, touching the Lodging of the Government in the interval in the Hands of the Privy Council, and the Eſtates jointly; theſe following Words were moved to be added —— *Providing always, that there ſhall be a Quorum of the ſaid Members of Eſtates and Council jointly, making up thirty in Number at leaſt. Providing alſo, that the Majority of the ſaid Quorum*

ſhall

ſhall be Members of Eſtates, who have not at the time of the ſaid deceaſe been Members of the Privy Council: Which Clauſe was likewiſe carried in the Affirmative.

On the 10th of *Auguſt*, There was another Clauſe offered, *reſcinding the 2d Act of the 3d Parliament of K.* Charles II. *in the Year* 1681. *Aſſerting the Right of Succeſſion*; upon which Occaſion the Debate was reſum'd much in the ſame Terms, as had been on the ſame Occaſion on the the 9th of *June*, and after ſome time ſpent in the Debate: The Vote was ſtated, *Whether it ſhould be ſimply reſcinded by an expreſs Clauſe, or if it ſhould only be reſcinded by the general Clauſe*? and it was carried to be reſcinded by the *general Clauſe* only. Then it was moved, That the whole Act of Security, having been now finiſhed, it was proper to give it the Approbation of the Houſe, by a finiſhing Vote: But it being late, it was delay'd by a Vote. Two Days after the Act was read and approved by a Majority of 59 Voices. And on the 16th and 17th of *Auguſt* there were ſome Speeches made, beſeeching the Commiſſioner (with all due Deference to her Majeſty's Negative) to give the Royal Aſſent to the ſame.

On the 18th and 19th of *Auguſt*, The Houſe went further upon the Act touching Peace and War, and a Clauſe was offer'd, That no Forces ſhould be brought into the Kingdom, or tranſported out of it for Foreign Service, without conſent of Parliaments; but the Conſideration of it was not inſiſted on. The 20th, Addreſſes were made to the Commiſſioner by a great many Members, that he would paſs the Act of Security, which would encourage the Members to go the more chearfully upon the matter of the Subſidies: And it was alſo repreſented, that the *Negative* to any Act approved in Parliament, had never been aſſerted before the Year 1660. Five Days after it was moved, that the Houſe ſhould go upon the Conſideration of ſome Overtures for ſecuring the Liberties of the Nation, conform to the Tenor of the grand Reſolves, enter'd into the 28th Day of *May*:

There

Thereupon ſeveral Acts for Trade were offer'd, and read that Day, and at the next Meeting, *viz.* The Act in favour of the Company Trading to *Africa*, and the *Indies*; the Act againſt Importation of *Iriſh* Victual; the Act prohibiting the Exportation of *Engliſh* and *Iriſh* Wool, till next Seſſion of Parliament; and the Act allowing the Importation of all ſorts of Wines, and other Foreign Liquors. The three firſt of theſe Acts were order'd to be mark'd a firſt Reading without any Oppoſition; but ſome Members urg'd, that the fourth and laſt ought to be thrown out, as laying a Foundation for a Commerce very prejudicial to the Intereſt and Trade of the Nation: So that after a long and angry Debate, the Act was order'd to be mark'd a firſt Reading.

The 6th of *September* had been appointed for private Buſineſs, but immediately after Reading the Minutes, the Earl of *Marchmont* deſir'd leave of the Houſe to withdraw an *Act, containing ſeveral Limitations upon the Succeſſor*, which had been lately preſented by him, but had not yet been read. His deſire being granted, immediately upon withdrawing that Act, his Lordſhip begg'd leave to preſent another in its Room, which he deſir'd might be read, which began as follows:

'WHereas by the Declaration of the Eſtates of 'this Kingdom, containing the Claim of 'Right, dated the 11th of *April* 1689. the Crown 'and Royal Dignity of this Realm is ſettled and 'entailed upon our Soveraign Lady the Queen, '(therein deſigned the Princeſs *Anne* of *Denmark*) 'and the Heirs of her Body being Proteſtants, and 'whereas the Settlement and Entail of the Sove'raignty is no farther determin'd and declar'd, 'than the Heirs of Her Majeſty's Body: Her Ma'jeſty moſt ſeriouſly conſidering, how neceſſary it 'is for the Security of the Proteſtant Religion, and 'of the Rights, Laws and Liberties of this King'dom, that the Settlement and Entail of the So'veraignty, Crown and Royal Dignity of this

'Realm

'Realm be further determin'd and declar'd: There-
'fore her Majeſty, with Advice and Conſent of the
'Eſtates of Parliament, Statutes, Ordains and
'Enacts, that failing Heirs of Her Majeſty's Body,
'the Crown and Royal Dignity of this Kingdom,
'and the Dominions thereunto belonging, ſhall ap-
'pertain, and belong to the moſt Excellent Prin-
'ceſs *Sophia*, *Electoreſs and Dutcheſs* Dowager *of* Ha-
'nover, Daughter to the moſt Excellent Princeſs
'*Elizabeth*, formerly Queen of *Bohemia*, Daughter
'of King *James* VI. of Happy Memory, formerly
'Sovereign Lord of this Kingdom, *&c.*

When the Earl of *Marchmont* moved, that the Act ſhould be read, he did not ſignifie what was the Import of it, and no Body oppos'd the Reading of it. Accordingly the Clerk did proceed to the Reading of it, without any Interruption, to that Paragraph, where it Subſtitutes the Princeſs *Sophia*, *&c.* No ſooner were theſe words read, but the whole Houſe fell into a Flame, ſome moved to have the Overture *Burnt*, ſome to have the Member who propos'd it *call'd to the Bar*, ſome to have him ſent to the Caſtle: After the Houſe had ſhew'd a general Diſſatisfaction againſt the thing, at length the Chancellor procur'd ſilence; and the Clerk was ordered to read it to an end: And the Earl of *Marchmont* deſired it might be marked a firſt Reading. He gave for his Reaſon, that the Minutes ought always to record the Matter of Fact as paſt in Parliament: And that though the Houſe had refus'd to mark this Act a firſt Reading, yet ſince it had actually been offered and read, therefore what was done in Relation to it, ought to be mark'd in the Minutes. This was warmly oppos'd: And the Earl of *Marchmont* ſtill inſiſting to have his Act marked in the Minutes, as a Privilege naturally due to all Overtures: The Queſtion was ſtated——Mark the Overture in the Minutes, Yea, or No? And it was carried in the Negative by 57 Votes.

On the 9th of *September*, it was repreſented by a Member, That this Seſſion had now ſate very long, and

and after a vaſt Expence of Money, Time and Pains, had at length paſt an Act for the Security of this Nation: But that no Act hath the *Force of a Law*, until it receives the Royal Aſſent; and as it would ſerve, in a great Meaſure, for a Recompence to the Members, to ſee that Act receive the Royal Aſſent, which had ſtood them in ſo much *Expence, Labour and Application*, ſo it would no doubt be very ſatisfactory to the Nation: And therefore he did beg, That Her Majeſty's Commiſſioner would give the Royal Aſſent to the Act. This Motion was ſeconded by a great many Members, and at length a motion was made, that the Houſe ſhould *Addreſs her Majeſty* to give the Royal Aſſent. Againſt this it was urged, That the Parliament had already done their part, by Voting the Act, what remained to be done, was the *Queen's part*, and that there was no need for Addreſſing, ſeeing it was notified to the Queen, that the Parliament had Voted the Act: Thereupon another Member ſaid, That he he had ſeldom ſeen any benefit reap'd by Addreſſes, and for that reaſon he was very little intereſted, whether this Houſe did at preſent Addreſs Her Majeſty or not; That he did think theſe Acts, which the Houſe had Voted, were but very ſlender fences for the Security of the Nation; That the *Nations caſe was deſperate*, and the *Proviſions* muſt be ſuitable. He found that ſome People were ſo forward in promoting the Succeſſion of the Houſe of *Hanover*, and ſome other People in promoting that of the *Prince of Wales*, That they were ſatisfied to ſacrifice their own, and their *Nations Liberty*, rather than not accompliſh their Deſigns; That he did conſider it as a very Melancholy Proſpect for this Nation, that they are not to expect any of theſe two Succeſſors, but at the rate of *being Slaves*, not to *their Princes*, but to *their Neighbours*; for ſuppoſing, that upon the one Hand this Nation ſhould ſubmit either *willingly, or by Compulſion* to the Succeſſor of *England*, without ſuch Conditions of Government within themſelves, as ſhould ſecure them againſt the ſole Influence of the *Engliſh* Mini-

1703.

ſtry upon their joint Prince, in that caſe they are no better than Slaves: Or, if upon the other Hand, the *Scots* ſhould *force their Succeſſor* upon the *Engliſh*, without ſecuring to themſelves theſe Conditions ſpoke of, they muſt ſtill reſolve to be under the ſame Dependance, *when Conquerors*, *as when Conquer'd*. And therefore, that it was abſolutely neceſſary for them to *ſettle ſuch Conditions of Government*, *as may place them in a reaſonable State of Freedom and Security*, *whoſoever may be the Succeſſor*; That to this purpoſe he did offer an Act which might ſatisfie theſe Ends.

After the Act was read, the Member ſaid, That he had not in this Act made any Nomination of a Succeſſor, and it was his Opinion, that this Nation was not at preſent in a Condition for a Nomination; but ſeeing there was a great Zeal amongſt ſome for promoting the *Succeſſion* of *Hanover*; and no leſs amongſt others for promoting that of the *Prince of Wales*; therefore to ſatisfie both, he had here to offer another Act, which he need not read, ſeeing it was the very ſame with what was already offer'd in every Circumſtance, excepting only, that it had a *Blank* in it, for Nominating a Succeſſor. That he mov'd that the Members might go to Work, and paſs this Act, and immediately after that, let each Party try their Strength, and let the ſtrongeſt carry the *Nomination*, and fill up the Blank, according to the Mind of the Plurality. Thus far he begg'd leave to declare his own Opinion, That he had rather concur in Nominating the moſt Rigid *Papiſt with theſe Conditions of Government*, *than the trueſt Proteſtant without them*. This Motion was ſeconded by ſeveral Members: And after ſome debate, there was a Motion made and *acquiſced* to without a Vote: That the Progreſs and Advances made in the ſaid Treaty, might be laid before the Parliament next *Sederunt*, and declar'd by a Vote of Parliament: After this was over, there were new Addreſſes made from a great many Members to the Commiſſioner, moving his Grace to give the Royal Aſſent to the Act of Security; but no anſwer was made from the Throne:

The

The next Day the Commiſſioner ſpoke as follows.

My Lords and Gentlemen,

'IT was with great uneaſineſs to me, that I was 'forced to be ſilent Yeſterday, when ſo many did 'appear earneſt that I ſhould ſpeak; I have all the 'Inclination in the World, to give you full Satisfa-'ction: But I thought that I ought not to be preſt 'to give the Royal Aſſent to declare my Inſtructions 'in Parliament; which I had made known to many 'Noble and Worthy Members, beſides the Queen's 'Servants.

'Now that theſe Inſtances are let fall, and that you 'have proceeded to other Buſineſs: To teſtifie how 'willing I am to give you Contentment, in any thing 'that is in my Power: I tell you freely, that I have 'received her Majeſty's Pleaſure, and am fully em-'powered to give the Royal Aſſent to all the Acts 'Voted in this Seſſion, excepting only that Act, en-'tituled an *Act for Security of the Kingdom*, (you may 'eaſily believe, that requires her Majeſty's further 'Conſideration) At the ſame time her Majeſty ex-'pects you will mind Your own Safety, in making 'neceſſary Proviſions for the Troops upon the pre-'ſent Eſtabliſhment, and that you will put the Trade 'and Cuſtoms on that Foot, that the Civil Liſt may 'be ſupported; and I intreat your Lordſhips to finiſh 'theſe as quickly as poſſible, that this Seſſion may 'be put to a ſpeedy and happy Concluſion.

The Commiſſioner having ended his Speech, a Member ſaid, That had it been ſpoken in the beginning of the Seſſion, it might have ſaved a great deal of Labour and Expence: After ſome Debate, upon this Head, there was a Motion made to Addreſs her Majeſty, that ſhe would be pleas'd to gratifie the Houſe in giving her Royal Aſſent to the Act. After ſome further Debate the Queſtion was put —— Addreſs, or Proceed to other Buſineſs; and it was carried —— Proceed to other Buſineſs

by 12 Voices. After this Mr. *Pringle*, who had been Secretary to the Treaty of *Union*, was ordered to lay the Minutes of that Treaty before the Houſe againſt next *Sederunt*.

On the 13th of *September* it was moved, that ſeeing the Royal Aſſent had been refuſed to the Act of Security, therefore it was proper to go upon further Overtures for the Security of the Nation upon the Event of the Queen's Death: After a long Debate, during which a great many warm Speeches paſt; at length the Queſtion was put——Proceed upon the Act for Limitation, or upon Ovetures for Trade, and it was carried to proceed upon Overtures for Trade, by 11 Voices.

After this Vote was over, the Act for Importing Wine was read, and the Queſtion was offered to be put——Approve the firſt Clauſe in the Act, allowing the Importation of all ſorts of Wine, and other Foreign Liquors; Yea, or No? Againſt this State of the Vote it was urged, that it was not a proper State of a Vote: But that the Vote ſhould be ſtated, allow all *French* Liquors, and not all *Foreign* Liquors, ſeeing all other *Foreign* Liquors, excepting *French* alone, were already allowed to be Imported, and that this general Word *Foreign*, was only a Cheat and Cloak to cover the Deſign of Importing *French* Wines. And then the Clauſe being put to the Vote, it was carried in the Affirmative. The next day a Clauſe was offer'd, *That no* Scotch *Ships ſhould Trade directly with* France, *now in time of the War*; but ſeveral Members objecting againſt it, the Act was carried by a Vote without it.

On the 15th of *September* it was urg'd, That this had been a very Tedious and Expenſive Seſſion of Parliament; that moſt part of it had been employed in adjuſting the Act for the Security of this Nation, after her Majeſty's Deceaſe: That there was an Act now lying upon the Table, offered by Mr. *F*——— which he mov'd might be the ſtandard of future Deliberations, as that formerly offered by the Marqueſs of *Athol*, had been the Foundation of the Act

of

of Security. This Motion being ſeconded by many Members, the Lord Treaſurer repreſented, That this Seſſion of Parliament had now ſat long without providing Funds for the Army, which muſt of neceſſity be ſupported, both for maintaining the Peace at Home, and for defending the Nation againſt Invaſions from Abroad: That there was an Act now lying upon the Table, which had been long ago preſented for that purpoſe: And he moved, that it might receive a firſt Reading. This was oppos'd by a Member, who ſaid, That it ſeemed very unſeaſonable to propoſe a Supply at this time, when the Houſe had ſo much to do for the Security of the Nation: There were a great many of the Country Party, who had no mind to go to the Extent of Mr. *Fl*——'s Act, but were withal reſolved to go upon the Conſideration of Overtures for the Liberty of the Nation; theſe did urge another State of a Vote —— Overture for *Subſidy*, or Overtures for *Liberty?* But the Miniſtry preſt the firſt State of the Vote, 'Thereupon Mr. *F*——alledg'd, That he 'had the honour to offer an Act for Securing the Li'berties of the Nation againſt *Engliſh* Influence: 'That it was his Opinion that the Condition of 'the Nation was ſo far gone into Ruin, That 'the Proviſions in this Act were abſolutely ne'ceſſary for its Relief; that he doubted not to make 'this appear by Reaſons unanſwerable: But that he 'found ſome People very ready to pervert the mean'ing of good Deſigns, and leſt any ſuch bad handle 'ſhould be made of an Overture, which he had ſin'cerely deſign'd for the good of his Country, he 'begg'd leave to withdraw his Overture, adding, 'That he ſhould be very ready to go into ſuch o'ther Overtures, as the Wiſdom of the Houſe ſhould 'judge moſt proper for the Honour and Safety of 'the Nation. Then the other State of the Vote was 'offered——Overtures for *Liberty*, or Overtures for 'a *Subſidy?* Here the Miniſtry were at a loſs, for they knew that Overtures for *Liberty* would be carried; and by Mr. *F*———'s withdrawing his Act,

they were put to Shift for another State of a Vote. This put them to a Conſultation about the Throne, during which time the Members call'd from all Corners of the Houſe for a Vote, upon the Queſtion as ſtated —— *Liberty* or *Subſidy?* During this time a great many warm Expreſſions were thrown upon the Miniſtry from People of all Ranks. After ſome time ſpent in this manner, ſeveral uncertain and imperfect Overtures of differing States of Queſtions were made, the Commiſſioner moved from the Throne, that if the Houſe would agree to allow a firſt Reading, to the Subſidy Act, he did promiſe, that it ſhould not be heard of for three enſuing *Sederunts*. To this a Member anſwer'd, That he believed that thoſe about the Throne did not expect that this Overture would take in the Houſe; that the import of it was plainly this, that the Act for a *Subſidy* ſhould get a firſt Reading now, then the Houſe ſhould have three *Sederunts* for the Liberties of the Nation: Which *Sederunts* ſhould meet at ſix, and Ajourn at Seven; and the fourth *Sederunt* ſhould compleat the Subſidy, after which the Houſe was ſure to be Adjourned. That he was certain the Houſe was better acquainted with the Artifices of the Miniſtry, than to be miſled by ſuch Overtures. Another Member urg'd, That it was now plain, the Nation was to expect no return for their Expence and Toil, but to be put to the charge of a Subſidy, and to lay down their Necks under the Yoak of Slavery, which was prepared for them from that Throne. A third Member ſaid, That he inſiſted for having a Vote upon the Queſtion which had been put. That he found as the Liberties of the Nation were ſuppreſt, ſo the Privileges of Parliament were like to be torn from them; but that he would rather venture his Life, than it ſhould be ſo, and ſhould chuſe rather to *die a Freeman*, than *live a Slave*. Some preſt for the Vote, adding, That if there was no other way of obtaining ſo natural and undeniable a Privilege of the Parliament, *They would demand it with their Swords in their Hands*. After a conſi-

conſiderable time ſpent in this manner, at length the Chancellor told them that it was yielded, The Parliament ſhould proceed upon Overtures for Liberty next *Sederunt*. *Upon theſe Aſſurances the Members met next Morning, in order to prepare an Overture for that purpoſe, and there was one prepared, in Subſtance as follows* ——That the Elective Members ſhould be choſen every Year, at the *Michaelmas* head Courts———That there ſhould be a Parliament held once in two Years at leaſt———That the ſhort Adjournment *de Die in Diem*, ſhould be made *by the Parliament themſelves, as in* England ——— *That* no Officer of the Army, Cuſtoms or Exciſe, or Gratuitous Penſioner ſhould ſit as an Elective Member: *And if ſuch an Act had received the Royal Aſſent, the Country Party had reſolved to have concurred in giving Supplies.* Of which the Lord Commiſſioner having Notice, the ſame day he gave the Royal Aſſent to the Acts paſs'd.

After which his Grace made a Speech to the Parliament as follows:

My Lords and Gentlemen,

WE have now paſt ſeveral good Acts for our Religion, Liberty and Trade, which I hope will be acceptable to all Her Majeſty's good Subjects; I wiſh you had alſo given the Supplies neceſſary for the maintaining of Her Majeſty's Forces, and preſerving the Peace and Safety of the Kingdom; but ſince I hope this may be yet done in due time, and that beſides ſome Queſtions and Difficulties are fallen, that in all probability you can have no time to determine; and that withal, it is fit Her Majeſty ſhould have time to conſider upon ſome Things that have been laid before Her; and that we may know Her Mind therein more perfectly, a ſhort Receſs appears at preſent to be neceſſary, and that this Parliament be Adjourned for ſome time: And therefore I have ordered my Lord Chancellor to Adjourn this Parliament until the 12th Day of October *next.*

And then the Lord Chancellor, by his Grace's Order, Adjourned the Parliament till *Tueſday* the 12th of *October* next.

About this time, *Sept.* 21ſt, the Duke of *Ormond*, Lord Lieutenant of *Ireland*, call'd together the Parliament of that Kingdom, where nothing was more remarkable, than the entire Harmony and good Correſpondence between his Grace and both Houſes, and the Unanimity and Cheerfulneſs with which they Voted the Supplies for Defraying the Expences of the Eſtabliſhment, (as they term'd it) under the beſt of Queens. They alſo Voted ſeveral Penſions to be unneceſſary Branches thereof; and having paſs'd ſeveral other Acts for the Good and Security of the Kingdom, and her Majeſty's Government, they Adjourn'd to *January* following.

Upon the 9th of *October*, Her Majeſty with his Royal Higneſs the Prince of *Denmark*, arriv'd at *Windſor* from the *Bath*, where they had ſpent ſome part of the Summer, and on the 9th of *November*, the Parliament of *England* met at *Weſtminſter*: On which Day, Her Majeſty open'd the Seſſions with the following Speech to both Houſes:

My Lords and Gentlemen,

I *Have called you together as ſoon as I thought you could conveniently come out of your Countries, that no time might be loſt in making our Preparations for carrying on the preſent War, in which I do not doubt of your Cheerful Concurrence, ſince you can't be but ſenſible that on the Succeſs of it depends our own Safery and Happineſs, and that of all* Europe.

I hope I have improved the Confidence you repoſed in Me laſt Year to your Satisfaction, and the Advantage of Us, and Our Allies, by the Treaty with the King of Portugal, *and the Declaration of the Duke of* Savoy, *which, in great Meaſure, may be imputed to the Cheerfulneſs with which you Supported me in this War, and the Aſſurances with which you truſted Me in the Conduct of it: And We cannot ſufficiently Acknowledge the*

the Goodneſs of Almighty God, who is pleaſed to Afford us ſo fair a Proſpect, as we now have, of bringing it to a Glorious and Speedy Concluſion.

I muſt therefore deſire you, Gentlemen of the Houſe of Commons, *to grant me ſuch Supplies as ſhall be Requiſite to defray the Neceſſary Charge of the War in the next Year, with Regard not only to all our former Engagements, but particularly to our Alliance with the King of* Portugal, *for Recovering the Monarchy of* Spain *from the Houſe of* Bourbon, *and Reſtoring it to the Houſe of* Auſtria; *which Treaty being in it ſelf of the higheſt Importance imaginable, and requiring all poſſible Diſpatch in the Execution of it, has neceſſarily occaſion'd a great Expence, even in this preſent Year, tho' not ſo much as it will Require, and for which, I hope, we ſhall be amply Recompenſed in the next.*

The Subſidies which will now be immediately Required, for the Aſſiſtance of the Duke of Savoy, *will likewiſe occaſion a further neceſſary Charge.*

I muſt take notice to you, that tho' no particular Proviſion was made in the laſt Seſſion, either for the Charge of our preſent Expedition to Portugal, *or for that of the Augmentation Troops deſired by the* States General, *yet the Funds given by Parliament has held out ſo well, and the Produce of the Prizes have prov'd ſo Conſiderable, that you will find the Publick will not be in Debt by reaſon of either of theſe Additional Services.*

I may further obſerve to you, that though the Funds for the Civil Government are Diminiſht by the War, I have, in Conjunction with the States General, *Contributed out of my own Revenue, towards ſome Publick Services, and particularly the Support of the Circle of* Suabia, *whoſe firm Adherence to the Intereſt of the Allies under the greateſt Preſſures, did very well deſerve our Seaſonable Aſſiſtance. And I ſhall ſtill be Careful not to Engage my Self in any unneceſſary Expence of my own, that I may have the more to Spare towards the Eaſe of my Subjects.*

My

My Lords and Gentlemen,

I Heartily Wiſh ſome eaſy, and leſs Chargeable Method, could be found out for the ſpeedy and effectual Manning of the Fleet.

I muſt alſo Recommend to you to make ſome Regulation for Preventing the Exceſſive Price of Coals: I have Examined this Matter, and taken particular Care to appoint Convoys for that Service; but the Price has not in the leaſt Abated, notwithſtanding a very conſiderable quantity has been Imported ſince that time; This gives great Ground of Suſpicion, there may be a Combination of ſome Perſons to Enrich themſelves by a general Oppreſſion of others, and particularly the Poor: 'Twill deſerve your Conſideration how to Remedy this great Inconvenience.

And in all your Affairs, I muſt Recommend to you as much Diſpatch as the Nature of them will admit; This is neceſſary to make our Preparations early, on which, in great Meaſure, Depends the good Succeſs of all our Enterprizes.

I want Words to Expreſs to you My earneſt Deſires of ſeeing all my Subjects in perfect Peace and Union among Themſelves: I have nothing ſo much at Heart as their general Welfare and Happineſs; Let me therefore deſire you All, That you would carefully avoid any Heats or Diviſions that may diſappoint me of that Satisfaction, and give Encouragement to the Common Enemies of our Church and State.

This, Her Majeſty's Gracious Speech was attended with the Dutiful and Thankful Addreſſes of both Houſes; wherein the Commons particularly take notice, of the ſingular Credit of Her Majeſty's Exchequer; to be greater in the midſt of an Expenſive War, than was ever known in the moſt flouriſhing Times of Peace: Both Houſes aſſuring Her Majeſty of their ready Compliance in granting the neceſſary Supplies, for carrying the War on with Vigour, and chiefly to ſupport the new Alliance made with the King of *Portugal*, and the Duke of *Savoy*: And reſolv'd

resolv'd presently, that 8000 Men, consisting of 7000 Foot, and 1000 Horse, shou'd be provided to Act in Conjunction with the former: And that speedy Care shou'd also be taken to provide Remittances for the Latter; such as should be thought sufficient to give Encouragement to so advantageous an Allie.

And here, in its Course, I must take notice of a most remarkable Calamity; never to be forgot in History.

On the 26th of *November*, between 11 and 12 of the Clock at Night, began the most violent Storm that ever was known in *England*, in the Memory of any Man living, or Recorded in Story; the Wind, which was *West South West*, resembling Thunder at a distance, attended with great Flashes of Lightning. It continued with almost an unrelenting Fury till Seven the next morning, blowing down a multitude of Chimnies, Tops of Houses, and even whole Buildings; tearing up a multitude of Trees by the Roots, breaking of others in the middle; beating several Spires off the Steeples; rolling up great quantities of Lead like Scrolls of Parchment, and blowing them off the Churches, Halls and Houses. In this Hurricane, several People were killed in their Beds, particularly the Pious and Learned Bishop of *Bath* and *Wells*, and his Lady. Several others wounded; but abundance more miraculously preserved The damage done in *London* and *Westminster* was conjectured to amount to one Million Sterling, and that of the City of *Bristol* to little less than 150000 *l.* But it pleased God, that this Calamity was not universal, the *Northern* Parts of this Island having little felt the Effects of it. Yet our losses at Land were inconsiderable, in comparison with those we sustain'd at Sea: For not only several Men of War, and Merchant Ships were cast away, but abundance of Sea-Men were Irrecoverably lost.

Upon which Deplorable Occasion, the Commons Addrest Her Majesty, and a Publick Fast was appointed,

ed to implore the Mercy of God, to avert the like Judgments for the future.

The Parliament had not ſat long, before the Bill for preventing *Occaſional Conformity* was reviv'd again by the Commons; and you may eaſily judge, with what Heat it was manag'd by the Zealous Sticklers for the Church of *England*, in the following Speech made by a Member of that Houſe:

Mr. *Speaker*,

'HER Majeſty has been pleas'd in all her Speeches 'to give us ſo many aſſurances of ſupporting 'the Church of *England* as by Law Eſtabliſh'd, and 'alſo ſuch Inſtances of being punctual to her Promiſe 'in this particular, that I think ſhe very juſtly de'ſerves the Title of *Defender of the Faith*. Her de'ſire to ſee this Bill ſucceed the laſt Seſſions of Par'liament, was ſufficiently ſhewn by the Prince of '*Denmark*'s conſtant Attendance upon it; and I be'lieve the Reaſon why ſome Perſons oppos'd it, was, 'becauſe the Queen ſeem'd to eſpouſe it.

'But pray, Gentlemen, Let us conſider, how this 'Bill came to be loſt? Why, two or three Noble 'Lords were, by turns, to be Abſent? The miſcarri'age of the Bill was imputed to their want of Atten'dance, when, at the ſame time, they were deſired 'to be out of the Way. And, is it not a ſhame, that 'we, who have given fourſcore Millions of Money 'for the Preſervation of the Proteſtant Religion, 'ſhould have *Trimming* at laſt in a Bill to prevent '*Hypocriſy*.

'It was a Law among the *Athenians*, that when 'any Mutiny or Difference aroſe in the City of *A*'*thens*, the Inhabitants ſhould take one ſide or other, 'or elſe they Baniſh'd them from the City: And 'truly, Sir, when Members of Parliament, and 'Miniſters of State ſtand Neuter, in Matters that 'nearly concern the Intereſt of the Church of *Eng*'*land*, and have not Courage to own their Opinion, 'I think they very well deſerve to be turn'd out. 'Every Gentleman here is ſent to give his Vote,

'and

'and when he declines that, he can't be properly 'ſaid to ſerve the Place he Repreſents. This I take 'to be the worſt ſort of Cowardiſe.

'But pray, Sir, let us enquire into the meaning of 'all this *Trimming*. Are we afraid to diſoblige a 'Party of Men, that are againſt the Church and 'Government? Whoſe Principle of Hatred and Ma-'lice to the Family of the *Stuarts* deſcends to them 'by Inheritance; Men, Sir, that offered open Vio-'lence to Her Majeſty's Royal Grandfather; Men 'that have not only the Impudence at this time to 'juſtifie that Fact, but to turn the Day of his Mur-'der into Ridicule, and keep a *Calves-Head Feaſt in 'the City*. And can we imagine that thoſe who are 'Enemies to Her Majeſty's Perſon and Office, and 'that were for hindring her from coming to the 'Throne, would not be glad of any opportunity to 'ſhove her out of it?

'Are theſe the Men to be Countenanc'd and En-'courag'd? This, in plain *Engliſh*, makes me believe 'this Miniſtry has too great a Reſemblance of the 'laſt; that my Lord *S———d* is riſen from the 'dead, and now become Prime Miniſter of State.

'And now I am upon this Subject, give me leave to 'tell ſome Gentlemen here, who have been bellow-'ing and roaring againſt Perſons for taking Places in 'the late Reign, that it is a Reflection upon them to 'hold and continue their Places, in the company of 'thoſe that they have been exclaiming againſt.

'They may remember, if they pleaſe to recollect, 'the Language in the late Reign---*Sir, you muſt turn 'this Gentleman out, or elſe I can't ſerve you.* ——— 'And if any Gentleman was in the Intereſt of the 'Church of *England*, 'twas a ſufficient Exception a-'gainſt his being employ'd. No Gentleman of that 'Principle was then thought fit to be a Deputy Lieu-'tenant, or a Juſtice of the Peace. If we would 'take the ſame Reſolution, and the ſame Spirit, 'Things might be better Manag'd than they are.

'I did wonder to hear ſo many B——s againſt 'this Bill, but that Wonder ceas'd, when I conſider'd

'whom

' Whom they ow'd their Preferment to. The Arch
' B——p of *C*——*y*, I think, was promoted to that
' See by my Lord *S*——*d*'s Intereſt; and being ask'd
' what Reaſons he had againſt this Bill, reply'd,
' *He had not well conſider'd the Bill, but that my Lord*
' S———rs *told him, it ought not to paſs.* ——This
' was a very weighty Reaſon for the Head of our
' C———h to give; and yet, I dare ſay, none of
' the reſt of them could give a better. One would be
' provok'd by the late behavionr of the B——s, to
' move for leave to bring in a Bill for the Toleration
' of E——cy; for, ſince they are of the ſame
' Principles with the Diſſenters, it is but Juſt, I
' think, that they ſhould ſtand on the ſame foot.

' Now, Sir, give me leave to anſwer ſome Objecti-
' ons made againſt this Bill. The firſt is, that *its*
' *unſeaſonable at* this time. Why unſeaſonable? Is it
' not as ſeaſonable for us to paſs a Law for the further
' Defence of the Church of *England* here, as it was
' for *Scotland* to paſs an Act laſt Seſſions for the Se-
' curity of the Kirk there? Why unſeaſonable?
' Does the Succeſs of our Arms Abroad, or the levy-
' ing of Money at Home, depend upon it? No Gen-
' tleman can ſay, that either of them do; and ſince
' there can be no objection made againſt the goodneſs
' of the Bill, why ſhould we defer the putting it in
' Execution.

' Another Argument againſt this Bill, is, that *it*
' *will Create Diviſion.* Are we to allow a Schiſm to
' avoid Diviſion? The Diſſenters hold it lawful to
' Communicate ſometimes, and if ſo, why unlawful
' to Communicate at other times? But oh! The
' fear of offending Diſſenters is to be urg'd as an Ar-
' gument, and not provoking the Church of *Eng-*
' *land*: Either the Miniſtry muſt think we are ſo
' good natur'd, as not to be diſpleas'd at any thing
' they do, or elſe that our Number is ſo inconſi-
' derable, that that they do not value it if we are
' diſpleaſed.

' Another Argument againſt this Bill proceeds
' from the Number and Strength of the Diſſenters.

' This

'This I take to be an Excellent Argument for the 'Bill; for if they are so strong and numerous, it is 'high time for us to guard our selves against them; 'and I appeal to every Gentleman here, whether 'one Dissenter in Place is not capable of doing 'more Mischief to the Church of *England*, than 'ten out of it? Suppose, Mr. *Speaker*, the Dissen-'ters had the Power in their Hands (as they will 'certainly in a short time, if not restain'd) would 'they admit the Church of *England* into Places of 'Trust, and into the Legislature upon Occasional 'Conformity?

'Her Majesty has been so Generous as to offer 'what further Security they think fit for the Reli-'gion in *Scotland*; how comes it, that some Gentle-'men should represent her Majesty so much con-'cern'd to preserve a Religion she is not of, and so 'unwilling to grant a Security for the Church in 'which she expects to be saved? According to this 'Method, one might expect the *Scotch* Covenant to 'be brought again into *England*, and that the Pres-'byterian Party of that Kingdom, should remon-'strate (as they did to her Royal Grandfather) 'the necessity of having one Religion, and one Wor-'ship in both Kingdoms.

'We have been under great Expences in keeping 'these Gentlemen out, and have been traduced as 'Persons designing a *French* Government; and all 'the return we are like to have for our Services and 'Sufferings, in our Purses and Reputations, is, that 'these Persons are like at last to become our Ma-'sters, which is a very great Discouragement.

'Mr. *Speaker*, I take this Practice of Occasional 'Conformity, to elude the force of one of the best 'Laws made in the Church of *England*'s Defence, 'that it is Scandalous and Knavish in it self, and I 'will pretend to foretel this, that by the Benefit of 'this Occasional Conformity, the Dissenters will 'come to be the Majority of this House, and then 'I'll venture to pronounce the Days of the Church of '*England* few. That I may not see such dismal Ef-

'fect

'fects of our pretended Moderation; I heartily 'wiſh Succeſs to this Bill.

This Gentleman ſpeaking the Senſe of the Majority of the Houſe of Commons, the Bill had a quick and eaſy Paſſage there. But being ſent up to the Lords, it met with a very cold Reception; their Lordſhips hardly allowing it a ſecond Reading. On this Occaſion a Learned and Illuſtrious Prelate made the following Speech, in direct Anſwer to the other.

My Lords,

'I Am very glad to find, that how much Heat ſo-'ever this Matter has raiſed Abroad, yet none of 'that has appear'd in all this Debate: If a Heat of 'Zeal has appear'd in ſome, yet nothing has been 'mixed with it unbecoming the Dignity of this 'Houſe, and the Solemnity of a great Council: It 'is a diſadvantage, eſpecially to one of this *Bench*, 'to ſpeak againſt any thing, that, in the Sound, and 'firſt Appearance, ſeems to be intended for the Ser-'vice of the Church; and I am ſure, if I were not 'fully convinced that it was not ſo, but that, how 'well ſoever it may be intended by ſome, the Effects 'of it will be quite contrary, I could not have a 'Heart, or a Face to *ſpeak againſt it*, but ſhould '*promote* it with all poſſible Zeal.

'I confeſs I am already bound up, as to this parti-'cular, and determined by a Promiſe ſolemnly made 'to the Queen. Her Majeſty recommended *Union* 'to us, with a *peculiar Vehemence of Stile*, when ſhe 'ſaid, *ſhe wanted words to expreſs how earneſtly ſhe de-'ſired to ſee Union, and a good Agreement among her 'Subjects.* I am ſure we muſt all want words to ex-'preſs a due Senſe of that Royal Tenderneſs and 'Care of us. In our Addreſs to her Majeſty, we 'promis'd, not *only to avoid, but to oppoſe every thing 'that might tend to Create Diſunion and Diſorder*: 'And I do freely own, that I had then this very 'thing in my Thoughts, as I believe a great many 'others had, and therefore I look on my ſelf as un-

'der

'der an obligation now to perform what I then pro- 1703.
'mis'd.

'I know ſome of our Order, as well as my ſelf 'in particular, have been very *Indecently*, and I hope 'very *Unjuſtly* too, treated in many Printed *Libels* 'upon this very Account; as if we were the Ene-'mies to the Church, becauſe we cannot think this 'Bill for its Service. The Station we are in, ſets us 'above the anſwering every ſpiteful Writer. But 'next to the Queen, we owe it to your Lordſhips 'to ſatisfie you, if any thing ſticks with you. We 'hope we may appeal to the World, and to our 'Dioceſſes in every particular, whether our Labours 'do not ſhew a true Zeal for the Church in all its 'Concerns? We are the *Diſciples of the Croſs*, and 'muſt go through *good Report*, and *ill Report*; but we 'hope we are ſo well Known, and have acted ſo 'long in a Publick Scene, and have acted ſuch a 'Part on it, that we may reckon our ſelves above 'ſuch Calumnies.

'Even St. *Paul* ſaid, he became a Fool in *Glorying*, 'but it was when others compell'd him to it: We 'muſt freely own that there have been ſuch Severi-'ties among us in every Reign, ſince the Reformati-'on, that theſe are Blemiſhes not eaſily wiped off. 'The *Burnings* in King *Edward*'s Reign is the Re-'proach of that time. The Capital Proceedings in 'Queen *Elizabeth*'s Reign, and the ſevere Act of the '25th Year of it, that puniſhes Meetings with Im-'priſonment, Baniſhment and Death, is a Blemiſh 'even on that long and glorious Reign. The Re-'peal of that Act paſt in both Houſes, *and its known 'by what Management it was, that it was not tendered to 'the Royal Aſſent*. The mention of Queen *Elizabeth*'s 'Reign leads me to take Notice of what has been 'ſaid in Relation to the Maxims, by which ſhe go-'vern'd her ſelf, as if ſhe had been inflexibly Steady 'in the Obſervation of the Laws in Matters of Reli-'gion. It is certain, that ſhe treated the *Papiſts* all 'along with every particular Indulgence: She would have the Peers excuſed from the Obligation to take

' the Oaths of Supremacy; ſhe Employ'd *Papiſts* in
' all her Affairs; there were Privy Councellors, and
' Lord Lieutenants, her Lord Treaſurer proteſted
' againſt all the Acts for the Reformation, and was
' known to be a Church *Papiſt*, or an *Occaſional*
' *Conformiſt*; and yet he continued in that great
' Poſt 14 Years till he dy'd; ſhe encouraged the
' *Occaſional Conformity* of *Papiſts*, and apprehended
' no danger in that, even from them; and yet, I
' hope, it will be acknowledged that there was more
' reaſon to be afraid of them, conſidering both their
' Numbers, and the Hopes of a *Papiſh* Succeſſor,
' than we have now to be afraid of the *Diſſenters*.
' She encouraged *Occaſional Conformity*, and no Body
' was uneaſie at it; but the *Pope* ſaw what it was like
' to end in, and therefore he took care to put a ſtop
' to it.

' The Severities in King *Jame*'s Reign caſt a Blot
' on it; and the Proceedings in the *Star Chamber*,
' and the *High Commiſſion* are ſet forth by a *Noble*
' *Hiſtorian*, as Things that did not a little Contribute
' to bring on us the Miſeries of a Civil War. The
' Proceedings in King *Charles* the IId's Reign were
' ſevere, and ſet on with bad Deſigns. That in a
' time both of War, and of a Plague, ſuch an Act as
' the *five Mile Act* ſhould have paſt, will amaze all
' that do not know the ſecret of that time. Soon af-
' ter the Reſtoration, it had been a very eaſie thing
' to have made up all Differences among us, but the
' deſign was to enflame them; and that matter was
' far driven as we all know, the Earl of *Briſtol*
' called together a Meeting of the chief of the *Po-*
' *piſts*, and tender'd them an Oath of *Secrecy*, as the
' Lord *Stafford* told me in the *Tower*, and told it
' likewiſe at the Bar of the Houſe; he then told them,
' that the Breach between the *Church*, and the *Diſſen-*
' *ters*, was now fixed, and would be carried further;
' it was therefore their Intereſt to make uſe of all
' the *Provocations* the Diſſenters might meet with, and
' to offer their Aſſiſtance to them, in order to the
' Engaging them to petition for a *General To-*

' *leration*;

'*leration*: Yet they could never be brought to it. 'When a Declaration for a General Toleration in '72 was queſtion'd in Parliament, which brought 'on the Act of the *Teſt*, ſet forth in the Preamble of 'this Bill, the Lord *Clifford* got ſome to move the Fa'vour of the *Diſſenters*, hoping that would have pro'vok'd either the one ſide or the other, and that ei'ther the Church Party might be offended with the 'Motion, or the *Diſſenters* with the refuſing it. That 'was ſtopt by Alderman *Love*, who deſired, tho' 'his own Perſwaſion was well known, that nothing 'with Relation to them might intervene to ſtop the 'Security, that the Nation, and the *Proteſtant* Reli'gion would have by that Act; in this he was ſe'conded by moſt of that Party, ſo that the Act was 'obtain'd in ſome meaſure, by their Aſſiſtance, and 'therefore it would be hard to turn it againſt them; 'for the King was then highly offended with them, 'for the giving up his Declaration. This wrought 'ſo much on that Houſe, that was ſo Zealous for the 'Church, that they ordered a Bill to be brought in 'for the eaſe of *Proteſtant Diſſenters*, in which little 'Progreſs was indeed made; yet to the End of that 'Parliament, the Conventicles were held very 'publickly, and they never paſs'd a Vote, or made 'an Addreſs againſt them. In the End of King *Charle*'s Reign we all Remember, that a new Pro'ſecution of them was ſet on Foot, and even then 'when the Severities againſt them were very hard, 'they were ſollicited by the Agents of the Court 'to Petition for a *General Toleration*, but they could 'not be prevailed on: What ſome of them did in 'King *James*'s Reign is well known, and cannot be 'excuſed. By all this we ſee, that the whole Ma'nagement with Relation to Diſſenters, was an Arti'fice to Advance a *Popiſh* Intereſt, which muſt needs 'give a juſt Jealouſie of every thing that looks that 'way; After the late King had delivered us from all 'our Fears and Dangers, to whom (*let Ungrateful 'and Malicious Men treat his Memory as they pleaſe*) 'we owe our preſent Happineſs, and that we are

' now ſitting here; his next Care was to ſecure the
' Church of *England* by the Act of *Toleration*, which
' has not only ſet the *Diſſenters* at Eaſe; but has made
' the Church both ſtronger and ſafer, ſince God has
' ſo bleſſed our Labours, that we ſee the *Diſſenters* loſe
' as much ſtrength, as we gain by it. The Heat
' raiſed by thoſe Diſſentions is much allay'd, and their
' Numbers are abated by a moderate Computation
' at leaſt a Fourth Part, if not a Third. But now
' they are alarmed, and begin to put on more Zeal,
' for they apprehend the *Toleration* is aimed at, and
' that how little ſoever, ſeems to be in this Bill, it
' is a ſtep, and will be followed by more, that are
' kept in reſerve till this Point is once gained. The
' next ſtep may be for their Wives and Children,
' and ſo the matter may be carried on till the whole
' Toleration is broke through. If one picks at a great
' Dike that keeps out the Sea, it will be thought, how
' ſmall a Breach ſoever he makes at firſt, that he de-
' ſigns a total Inundation. This ſeems to weaken
' and ſhake the Toleration, ſo Men will grow Jea-
' lous, and be on their Guard, and by this means
' we of the Church ſhall not have ſo free and unex-
' cepted an Acceſs to work on their Reaſons, which
' we now do with ſo much Succeſs, when once their
' Paſſions are kindled againſt us. The preſent State
' of our Affairs make this yet more Unſeaſonable. It
' is a common Maxim, followed even by Proſecutors,
' to keep Things quiet at Home, when Nations are
' engaged in War; eſpecially in ſuch a War as this,
' which is for *univerſal Monarchy*, where *all is at ſtake.*
' There may happen great Accidents in War, and
' it is no ways adviſable to raiſe Diſcontents or Ap-
' prehenſions in great Numbers at Home, which may
' come to have very ill Effects, when we are in no
' good Condition to deal with them.

' I know ſomewhat of *Foreign Affairs:* During the
' firſt ſix or ſeven Years of the laſt Reign, it was the
' common Topick of the Agents of *France*, in the
' Courts of our Allies, that *England* was ſo diſ-jointed
' by Factions at Home, that there was no truſting to

' it;

'it; no doubt the ſame Arts are now practiſed. *Por-*
'*tugal* and *Savoy* are two Allies of the greateſt Con-
'ſequence to us, who have no Strength to reſiſt the
'Force that will be poured in upon them, but as they
'hope to be ſupported by the Treaſure, the Fleet,
'and the Aſſiſtance of *England*. Any thing that
'divides and weakens us muſt give them a Melan-
'choly Proſpect, and may make very dangerous Im-
'preſſions on them; whereas our *Union* at Home,
'and the maintaining the happy Calm the Nation is
'now in, will incline them to depend more firmly
'on our Treaties with them.

'Some things give a juſt Suſpicion, when the
'Men who promote them, and write for them with-
'out Doors, are the known and avowed Enemies of
'the Government, who deny the Queen's Title,
'and are looking to one beyond Sea: Can we think
'that thoſe who ſeparate from our Churches, and
'have raiſed a Schiſm in it, can be Zealous for the
'Peace and Order of the Church? They are Zea-
'lous for ſomewhat elſe, and therefore we may well
'believe their Zeal in this Particular, is with a
'View to that to which they are driving. One *Au-*
'*thor*, who has writ two Books in behalf of this Bill,
'is known to be the *Furiouſeſt Jacobite* in *England*,
'and does not conceal it, even in thoſe Books. In
'one of theſe he ſays, *He is one called an High Church-*
'*man*. Theſe are new Terms of Diſtinction, rais'd
'on Deſign to diſtract us yet more. I know no *High*
'*Church*, but the Church of *Rome*, and that Author
'*L*—— has in another Book ſhew'd us, how near
'he comes to that Church, when he Propoſes,
'*That a Treaty may be ſet on Foot between our* Convoca-
'tion, *and the* Aſſembly *of the Clergy of* France;
'*and that we ſhould abate the* Regal Supremacy, *and*
'*they the* Papal, and then, he fancies, all other Mat-
'ters could be eaſily adjuſted: So here we ſee who
'are to be called *High Church*. Our Legal Eſtabliſh-
'ment founded upon the Primitive Pattern, is the
'true Meaſure of the *Church*; and thoſe who *riſe*
'*above it*, are as much out of the way, as thoſe *who*

'*fall below it.* But I knew one of the Eminenteſt '*Papiſts* of the Age, who uſed often to ſay, *He was* '*for the Church of* England *as by Law Eſtabliſh'd.* I 'took the Liberty to ask him how ſuch a Profeſſion 'did agree with his Sincerity? He anſwer'd, *He* '*looked upon the Laws of Queen* Mary *as yet in full force,* '*for he thought Queen* Elizabeth *who repealed them,* '*had no more right to the Crown than* Oliver Cromwell '*had, ſo that her Laws were no Laws.* I confeſs 'ever ſince that time, I have been jealous when I hear 'ſome Perſons pretend ſo much Zeal for the Church 'of *England.* The Fury with which this matter is 'driven, does heighten the jealouſy. What great 'matters could this Bill produce, if there were not 'ſomewhat under it?

'How comes it that our *Bench* ſhould be indecent- 'ly treated, becauſe we cannot all of us think it ſea- 'ſonable, and do not apprehend that we need it? We 'have in the whole courſe of our Lives adhered to the 'Intereſt of the Church at all Perils, and in all 'Times, without ever once in any particular leaning 'to the *Diſſenters:* And yet we, who have been our 'whole Life long, by our Labours and Writings, '*Building up the Church,* muſt now be defam'd as the 'Underminers, becauſe we cannot comply with o- 'ther Men's Notions. The *Head of our Order* is 'miſrepreſented with as much Injuſtice as Virulence, 'though he ſtood as in the front of the *Church* in the 'moſt dangerous Times; and falſe Stories are made, 'and publickly reported of him. I love not to uſe 'harder Words, but this could be the better born, if it 'were not for Relations and Dependencies of thoſe 'who vent 'em. I my ſelf have met with a large 'ſhare of ſuch Treatment, though in no ſtep or part 'of my Life, I ever gave the leaſt occaſion for it. 'When I *wrote the Hiſtory of Reformation,* for which 'I had the Thanks of the Houſe, I was then under 'no Byaſs; I had neither Favour nor Intereſt to tye 'me, ſo that I wrote purely what was my own Senſe 'of things; and yet I took care to mark all the firſt 'beginnings of *Nonconformity,* all the Grounds they

went

'went on, and all the Colours that impoſed on them, 'and have ſhewed the miſtakes and weakneſs of eve-'ry one of them, with an Honeſty and Zeal that 'ought to ſet me beyond ſuſpicion. But I own I be-'gan the World on a *Principle of Moderation*, which I 'have carried down through my whole Life, and in 'which I hope I ſhall continue to my Lives end. 'There was a time when thoſe who are now ſo fu-'rious, and perhaps ſo full of hopes, needed my 'Service, and I had ſome *Credit*, which for ſome 'years was chiefly employ'd in their behalf. Your 'Lordſhips may remember with what Vehemence 'I pleaded, for excuſing the Depriv'd Biſhops from 'the Oaths. Others were then, and are now in 'great Poſts, who I am confident will do me the 'Juſtice to own, that I was the Common Agent both 'for *Papiſts* and *Jacobites* in Diſtreſs; for which we 'are now ſo ill rewarded. But now to ſpeak to the 'Title of the Bill *Occaſional Conformity*, I cannot in 'the general Condemn this, but as it is accom-'panied with Errour and Miſtake. For a particu-'lar inſtance, I my ſelf was an Occaſional Confor-'miſt in *Geneva* and *Holland*. I thought their Church-'es were irregularly form'd under great Defects in 'their Conſtitution, yet I thought Communion with 'them, was Lawful, for their Worſhip was not 'Corrupted; but at the ſame time I continued my 'Communion with our own Church, according to 'the Liturgy of this Church, with all that came a-'bout me. *And if the deſigns of ſome of the Promo-'ters of this Bill*, ſhould be brought about, and I 'driven beyond Sea, *(unleſs among other unpardonable 'People, I ſhould be at firſt Knockt on the Head)* I, in 'that caſe, would Communicate with the Foreign 'Churches, but would likewiſe gather all of this 'Church about me, and ſtill continue to Worſhip 'God according to the Liturgy to my Lives end: 'So I think *Occaſional Conformity*, with a leſs Perfect 'Church, may well conſiſt with the continuing to 'Worſhip God in a more Perfect one. It remains 'then a point of opinion which Church or Society is

' the more, and which is the leſs, perfect. In this I
' am very ſure our Church is the more perfect and
' regular, and that the Separation is founded upon
' Errour and Miſtake; and that true Edification is
' among us, and not among them; but ſome of them
' by an unhappy Education, think otherwiſe, and in
' this they are certainly to blame, as they are in e-
' very part of the Separation. But if it is intended to
' Tolerate them under their own Miſtakes, I do
' not ſee why this ſhou'd not be Tolerated likewiſe,
' ſince it is much leſs dangerous, than the other
' Practiſes that are not at preſent complain'd of.

' The *Noble Hiſtorian*, whom ye are now all read-
' ing with much pleaſure, finds great fault with thoſe
' who did not go to the *French* Churches, even
' where they had an Ambaſſador's Chappel to reſort
' to, though this was certainly an *Occaſional Confor-
' mity* with a leſs perfect Church, where there was
' no obligation to go to it; and when they had a
' more perfect one at hand. It has been a Topick
' inſiſted on by all who have writ againſt the *Diſſen-
' ters*, from the firſt beginning of theſe Diſputes
' down to the preſent Times; they have been always
' called on to come as near the Church as they could,
' and to do all that they could do with a good Con-
' ſcience, and therefore before the Wars, great
' difference was made between the *Puritans* and the
' *Brownists* or *Separatiſts*, on this very account; but
' now all that is reverſed; the Separatiſts are well look't
' on, whereas thoſe who come much nearer us are
' diſcourag'd, though we all ſee, that this is a ſtep, by
' which many come over entirely to us, and the
' Children of others do enter into a conſtant Com-
' munion with us; and ſhall we go caſt a Scandal on
' this to diſcourage it?

' In my Dioceſs, thoſe who are *Occaſional Confor-
' miſts* out of Principle, who ſometimes go to Church,
' and go ſometimes to Meetings, are without num-
' ber; who yet have no Office, and ſeem to pretend to
' none; I confeſs I do not deſire to preſs it too hard
' upon them, that they may not do both, leſt this,

' in-

' inſtead of keeping them from *Meetings*, hinder
' them from coming to *Church*. I have heard but
' of one in Office in my Dioceſs, who goes to Meet-
' ings, and that is only to a weekly Lecture.

' Therefore ſince *Occaſional Conformity* is only to
' be blamed, when it goes upon an Errour, and a
' Miſtaken Principle, I do not ſee why it ſhould be
' worſe Treated than the Errours that are now
' Tolerated; for it is that of all the other Errours,
' *that which has done the greateſt Service to the Church.*

' I now come to the Bill it ſelf: I miſs a Preamble
' here, that was in the former Bill in favour of To-
' leration, which is now left out; I confeſs I don't
' know how it came to be there, for it did not very
' well agree with the Bill, eſpecially as it was firſt
' ſent up to us. It put me in mind of a Clauſe in the
' Sentence of the Inquiſitors; when a Heritick is
' Condemn'd, and deliver'd to the Secular Arm, they
' conjure the Magiſtrate by the Mercies of God, and
' the Bowels of *Jeſus Chriſt*, that no harm be done to
' the Obſtinate Heretick, neither in Life nor Limb;
' but all this is but *farce*, for he is to be burnt imme-
' diately; Yet after all, theſe Words were a ſolemn
' Declaration, that could not have been forgot, if
' other Matters had been afterwards offer'd at: They
' are now left out with great ſincerity, no doubt,
' by thoſe who do not intend to maintain the Tole-
' ration Act; a very honeſt part when they will not
' profeſs it! I know it may be ſaid, let us put in
' theſe Words, and ſtand to them. But ſtill this
' will not lay the Apprehenſions, that the leaving out
' theſe words muſt raiſe, as if the Original deſign of
' this Bill was to *ſtrike at the Toleration*; and that
' therefore thoſe who have contrived it, would not
' limit themſelves by words of their own framing, ſo
' they may, to carry their Point, conſent to their
' being put in by others, to which they do only give
' way, which they will not think to be ſuch a Tye
' on them, as if they had, of one accord, put them
' in the firſt Draught of the Bill. There are other
' words in the Preamble that do not appear to me to

' be

be well grounded after the two Acts, the *Corporation Act*, and the *Test Act* are set forth. It is inferred, that it was intended that all Men comprehended in them should be, and always continue to be of the Communion of the Church of *England*. By the first of these Acts no Man could bear Office in a Corporation, unless he had received the Sacrament within a Year before; and by the other, he who had a Place of Trust, was to receive the Sacrament within Three Months after; so by these Acts, it is very true, that no Men might be in any Employment, who either had not been, or was then in the Communion of the Church; but there is not a Clause nor a Word in either of these Acts that import, that he should always continue to be so. If the Clause once offer'd had been receiv'd, obliging such Persons to come to Church once a Month, and to receive the Sacrament once a Year, then this Intention would have been fairly declared; but, as it is, since no such Clause appears, I don't see how in a Recital we can affirm a thing that has no Foundation; for how unlimited soever our Enacting Power may be, yet in a Recital, a Thing must either be as it is set forth to be, or all the Authority on Earth cannot make it to be otherwise than it is; As for the Enacting Part, when in a proper Time a Bill shall be brought in, Disabling all to hold any Employment, but those who continue to be in the Communion of the Church of *England*, I shall concur in it heartily; but for a Fine of Fifty Pounds, I cannot agree to it: That Punishment goes further than disabling; I cannot agree to any such Clause: Nor is it consistent with the Act of Toleration, to lay a heavy Fine for going to a Meeting Tolerated by Law: Nor can I consent to the Reckoning the *Foreign Churches Tolerated among us*, which are by Name accepted in the Act of *Uniformity*, *among* the Meetings of the Separatists from our Church. *This will have a strange Sound all the World over, and will be a mighty Discouragement to all Abroad*, who expect Deliverance and

Pro-

'Protection from hence, when they understand that
'it is made so Criminal a Thing to Worship God
'with them, and according to their Way: For these
'Reasons I think this Bill ought not to be now enter-
'tained, but that the Subject Matter of the Bill
'ought to be left to be considered at a properer Time.

Though there were several warm Speeches made on this occasion; yet we think these are sufficient without Swelling the Bulk of this History, to express the distinct Sentiments of both Parties, *For, or against the Bill:* And one Eminent Peer of the latter Opinion, did not stick to say in plain Terms, *That if they pass'd this Bill, they had as good Tack the Pretended Prince of* Wales *to it:* Upon the whole Matter, after a Second Reading, the Bill was thrown out of the House of Lords, by a Majority of Twelve or Thirteen Voices. But, because some People may be curious to see what this Bill contain'd in Substance, it was as follows.

An Abstract of the Bill Entituled, An Act for Preventing Occasional Conformity; As it passed the House of Commons, the Fourteenth Day of December, 1704.

WHereas an Indulgence to Consciences truly scrupulous is agreeable to the Christian Religion, and particularly to the Doctrince of the Church of *England*; and therefore an Act passed in the First Year of the Reign of the late King *William* and Queen *Mary* of Glorious Memory, Entituled, *An Act for exempting their Majesty's Protestant Subjects Dissenting from the Church of* England, *from the Penalties of certain Laws*; which Act ought inviolably to be observed: Yet forasmuch as it is Enacted, by an Act made in the Thirteenth Year of the Reign of the late King *Charles* the Second, Entituled, *An Act for the Well Governing and Regulating of Corporations*; and also by another Act made in the 25th Year of the Reign of the said King *Charles* the

the Second, Entituled, *An Act for preventing Dangers which may happen from Popiſh Recuſants*; That the Perſons to be admitted into the Offices and Employments therein mentioned, ſhould receive the Sacrament of the Lord's Supper according to the Rites and Uſage of the Church of *England*, by which Acts it was manifeſtly intended, That ſuch Perſons ſhould be and continue Conformable to the Church of *England*, as it is by Law Eſtabliſhed: And foraſmuch as the ſaid Acts have been moſt Notoriouſly and Scandalouſly Eluded by many Diſſenters from the Church of *England*, who have received the Sacrament of the Lord's Supper, in order only to have or retain ſuch Offices and Employments as aforeſaid, and to evade the Penalties of the ſaid Laws; and have afterwards withdrawn themſelves from the Communion of the Church of *England*, and reſorted to Conventicles or Meetings, for the Exerciſe of Religion in other Manner than according to the Liturgy and Practice of the Church of *England*.

For the preventing therefore ſuch Scandalous and Irreligious Practices for the future, and the evil Conſequences thereof.

Be it Enacted, &c. That if any Perſons, after the 25th of *March*, 1705. *&c. See the firſt Enacting Clauſe of this Bill*, (*Number* VII. *of the* Appendix *of the 2d Volume of theſe Annals*) *which is exactly the ſame with this.*

And, Be it further Enacted, That every Perſon convicted in any Action, to be brought as aforeſaid, or upon any Information, Preſentment, or Indictment, in any of Her Majeſty's Courts at *Weſtminſter*, or at the Aſſizes, ſhall be diſabled from thenceforth to hold ſuch Offices, or Employments, or to receive any Profit or Advantage by reaſon of them or of any Grant, as aforeſaid, and ſhall be adjudged incapable to bear any Office or Employment whatſoever, within the Kingdom of *England*.

Provided always, And be it further Enacted, That if any Perſons who ſhall have been Convicted, as afore-

aforeſaid, and thereby made incapable to hold any Office or Employment, or to receive any Profit or Advantage by reaſon of them or of any Grant as aforeſaid, ſhall, after ſuch Conviction, Conform to the Church of *England*, for the ſpace of One Year, without having been preſent at any Conventicle, Aſſembly or Meeting, as aforeſaid, and receive the Sacrament of the Lord's Supper, according to the Rites and Uſage of the Church of *England*, at leaſt Three times in the Year, every ſuch Perſon or Perſons ſhall be capable of the Grant of any of the Offices or Employments aforeſaid.

Provided always, And be it further Enacted, That every ſuch Perſon ſo Convicted, and afterwards Conforming in manner as aforeſaid, ſhall at the next Term after his Admiſſion into any ſuch Office or Employment, make Oath in Writing, in ſome one of Her Majeſty's Courts at *Weſtminſter*, in publick and open Court, or at the next Quarter-Seſſions for that County or Place where he ſhall reſide, between the Hours of Nine and Twelve in the Forenoon, That he hath Conformed to the Church of *England* for the ſpace of One Year before ſuch his Admiſſion, without having been preſent at any Conventicle, Aſſembly or Meeting, as aforeſaid, and that he has received the Sacrament of the Lord's Supper at leaſt Three times in the Year; which Oath ſhall be there Enrolled and kept upon Record.

Provided, That no Perſon ſhall ſuffer any Puniſhment for any Offence committed againſt this Act, unleſs Oath be made of ſuch Offence before ſome Judge or Juſtice of the Peace (who is hereby Empowered and Required to take the ſaid Oath) within Ten Days after the ſaid Offence committed; and unleſs the ſaid Offender be Proſecuted for the ſame within Three Months after the ſaid Offence committed; nor ſhall any Perſon be Convicted for any ſuch Offence, unleſs upon the Oaths of two Credible Witneſſes at leaſt.

Provided always, That this Act, or any thing therein contained, or any Offence againſt the

ſame

ſame ſhall not extend or be judged to take away or make void any Office of Inheritance; nevertheleſs ſo as ſuch Perſon having or enjoying any ſuch Office of Inheritance, do or ſhall ſubſtitute and appoint his ſufficient Deputy (which ſuch Officer is hereby empowered from time to time to make or change, any former Law or Uſage to the contrary notwithſtanding) to exerciſe the ſaid Office, nntil ſuch time as the Perſon having ſuch Office ſhall Conform as aforeſaid.

Provided always, And be it hereby further Enacted, That no Proteſtant Diſſenter who ſhall make Oath in Writing, in ſome one of Her Majeſty's Courts at at *Weſtminſter*, or at the Quarter-Seſſions in the County where he reſides, between the Hours of Nine and Twelve in the Forenoon, that he cannot in good Conſcience conform to the Liturgy, and receive the Sacrament of the Lord's Supper according to the Uſage of the Church of *England*, ſhall be compelled or compellable to take, ſerve, hold, or bear any Office or Place whatſoever, for the taking, ſerving, or holding whereof he cannot be duly Qualified by Law, without receiving the Holy Sacrament, according to the Uſage of the Church of *England*, any Statute, Law, Uſage, or other thing to the contrary notwithſtanding.

Provided nevertheleſs, That this Act ſhall not extend to exempt any Freeman, or Member of any Corporation, City, Town, Borough, Cinque-Port, and its Members, or other Port-Town, from any Fine or Penalty, which by the particular Laws or Uſage of that Corporation or Place, is or may be Lawfully ſet or impoſed for refuſing any Office or Truſt relating to or concerning the Government of the reſpective Corporations or Place, any thing in this Act contained to the contrary notwithſtanding.

E'er the Heat of this Buſineſs was well over, another Flame, little leſs Violent, broke out between the two Houſes: For the Earl of *Scarborough*, while the Lords

Lords were ſtill Debating on the *Conformity Bill*, produc'd a Letter from his Brother, diſcovering the Pernicious Deſigns of the *French* Emiſſaries in *Holland*, and that ſeveral ſuſpected Perſons, Retainers to the Duke of *Berwick*, lately come from *France*, were ſiez'd upon that Account: Whereupon the Earl of *Nottingham* told the Houſe, that this Matter was already before the Queen, and wou'd in few Days be had before both Houſes: Accordingly, Three Days after, Her Majeſty came to the Houſe of Peers; and having paſs'd an Act for the Land Tax, ſhe open'd the Matter by the following Speech.

My Lords and Gentlemen,

I *Think it proper upon this Occaſion to Acquaint you, That I have had Unqueſtionable Informations of very Ill Practiſes and Deſigns carried on in* Scotland, *by Emiſſaries from* France, *which might have proved extremely Dangerous to the Peace of theſe Kingdoms, as you will ſee by the Particulars which ſhall be laid before you, as ſoon as the ſeveral Examinations, relating to this Matter can be fully Perfected, and made Publick without Prejudice: In the mean time I make no Doubt, but by this ſeaſonable Diſcovery, I ſhall be Able to give ſuch directions for Our Security, as will effectually prevent any ill Conſequences from theſe Pernicious Deſigns.*

Gentlemen of the Houſe of Commons,

I am very Senſible of your great Readineſs and Affection for the Publick Service, by preſenting Me ſo Early in the Seſſions, with a conſiderable part of your Supplies. I Depend entirely upon your continuing with the ſame Zeal, to Diſpatch the Remainder of them, that ſo we may be prepared to give the ſpeedieſt Aſſiſtance to our Allies, and to Defeat the Malicious Deſigns of our Enemies, who cannot be more Induſtrious to Contrive the Ruin of this Kingdom, and of the Proteſtant Religion, than I ſhall always be Vigilant and Careful, both for their Preſent Preſervation, and for their Future Security,

Upon

Upon this Speech, both Houſes Addreſt Her Majeſty, returning their Humble Thanks and Acknowledgements, for the Favour ſhe was pleas'd to do them, in promiſing to Communicate thoſe Informations: But the Houſe of Lords, having appointed a Seleſt Committee to Examine the Perſons ſuſpected, of themſelves; the Commons conceiv'd it an Encroachment upon the Royal Prerogative, at leaſt a Reflection upon ſome of Her Majeſty's Miniſtry; And to that purpoſe, preſented another Addreſs to Her Majeſty Four Days after: In anſwer to which, the Queen told them, *She had the Satisfaction to find that the Matter which might have occaſion'd their Addreſs, was now at an end; and that ſhe return'd 'em Thanks for the Concern they expreſs'd for Her Prerogative, and their repeated Aſſurances of making the Supplies effectual for the Honour and Advantage of that Kingdom*, &c. The Commons had before this, reſum'd the Adjourn'd Debate, concerning a Perſon in the late King *James*'s Army, who having been taken into Cuſtody at *Berwick*, was afterwards Diſcharg'd by the Earl of *Nottingham*'s Allowance. This Debate laſted a great while, till at length the Houſe came to the following Reſolution. *That the Earl of* Nottingham *for his unqueſtionable Fidelity to the Queen, and his ſteddy adhearing to the Church of* England, *had highly Merrited the Truſt Her Majeſty had repos'd in him*, and order'd that Mr. *Speaker* ſhou'd lay this Reſolution before her Majeſty, when the foremention'd Addreſs was Preſented. The Lords, on the other Hand, did highly Reſent the Reflection caſt upon 'em by the Commons in their Addreſs: Therefore to Vindicate their Honour, and Aſſert their Privileges, their Lordſhips reſolv'd and declar'd: *That by the known Laws, and Cuſtoms of Parliament, they have an undoubted Right whenever they conceive it to be for the Safety of Her Majeſty and the Kingdom, to take Examinations of Perſons Charg'd with the Criminal Matters, whether they be in Cuſtody or Not? And to Order, that Perſons to be Examin'd, be taken into Cuſtody by Her Majeſty's Sworn Officer attending their Houſe*,

Houſe, And that the ſaid Addreſs of the Commons is Unparliamentary, Groundleſs, without Precedent, and highly Injurious to the Houſe of Peers, tending to Interrupt the good Correſpondence between the two Houſes, and Create an Ill Opinion in Her Majeſty of the Houſe; and of Dangerous Conſequence to the Liberties of the People, the Conſtitution of the Kingdom, and the Privileges of Parliament. This done, their Lordſhips appointed a Committee to draw up a Repreſentation upon the Subject of the ſaid Reſolution, and preſented it to her Majeſty; to which Her Majeſty anſwer'd: 1703.

My Lords and Gentlemen,

I am very ſorry for any Miſunderſtandings that happen between the two Houſes of Parliament, which are ſo inconvenient for the Publick Service, and ſo uneaſie to me, that I cannot but take Notice with Satisfaction of the Aſſurances you give me, that you will Carefully avoid all Occaſions of them; I thank you for the Concern you Expreſs for the Rights of the Crown, and my Prerogative, which I ſhall never Exert ſo willingly, as for the Good of my Subjects, and the Protection of their Liberties.

The Differences between the two Houſes about the examination of the Plot, were ſtill heighten'd by the Lords interpoſing in an Affair, the Cognizance of which the Commons pretended, did ſolely belong to themſelves. The Caſe was thus: One *Matthew Aſhby*, Commenc'd and Proſecuted an Action at *Common Law*, againſt *William White*, Mayor of *Aylesbury*, and others, the Conſtables of that Town, for refuſing to receive his Vote at an Election of Burgeſſes to ſerve in Parliament for the ſaid Borough; but being caſt, he brought an Appeal into the Houſe of Lords, who upon ſtrict Examination of Witneſſes, and upon mature Deliberation, gave Judgment in Favour of *Aſhby*: Thereby aſſerting both the Right of Electors, and the Freedom of Elections. However, the Commons looking upon theſe Proceedings as an In-

croachment on their Privileges, after having inſpected the Lords Journals, Reſolved, 1ſt, 'That 'according to the known Laws and Uſage in Parliament, it is the ſole Right of the Commons of *England* in Parliament aſſembled, (except in Caſes, otherwiſe provided for by Act of Parliament) to Examine and Determine all Matters relating to the 'Right of Election of their own Members. 2dly, 'That according to the known Law and Uſage of 'Parliament, neither the Qualification of any Elector, 'or the Right of any Perſon elected, is Cognizable or 'Determinable elſewhere than before the Commons 'of *England* in Parliament Aſſembled, except in ſuch 'Caſes as are ſpecially provided for by Act of Parliament. 3dly, That the Examining and Determining the Qualification, or Right of any Elector, 'or any Perſon Elected to ſerve in Parliament, in 'any Court of Law, or elſewhere, than before the 'Commons of *England* in Parliament aſſembled, (except in ſuch Caſes as are ſpecially provided for by 'Act of Parliament) will expoſe all Mayors, Bayliffs, and other Officers, who are obliged to take 'the Poll, and make a Return thereupon, to Multiplicity of Actions, vexatious Suits, and inſupportable Expences, and will ſubject them to different and independent Juriſdictions, and inconſiſtent 'Determinations in the ſame Caſe without relief. 4thly, That *Matthew Aſhby* having in Contempt 'of the Juriſdiction of this Houſe, Commenc'd and 'Proſecuted an Action at Common Law againſt *William White*, and others, the Conſtables of *Alesbury*, 'for not receiving his Vote at an Election of Burgeſſes to ſerve in Parliament, for the ſaid Borough 'of *Aylesbury*, is Guilty of a Breach of the Privilege 'of this Houſe. 5thly, That whoever ſhall preſume to Commence or Proſecute any Action, Indictment, or Information, which ſhall bring the 'Right of the Electors, or Perſons Elected to ſerve 'in Parliament, to the Determination of any other 'Juriſdiction, than that of the Houſe of Commons, '(except in Caſes ſpecially provided for by Act of

'Par-

' Parliament) ſuch Perſon and Perſons, and all At-
' tornies, Sollicitors, Councellors, and Serjeants at
' Law, Solliciting, Proſecuting or Pleading in any
' ſuch Caſe, are Guilty of a high Breach of the Pri-
' vilege of this Houſe. And order'd theſe Reſolutions
' to be fixed upon *Weſtminſter-Hall Gate*, ſigned by
' the Clerk.

Another Affair gave the Commons occaſion to carp at the Proceedings of the Lords. On the 20th Day of *January*, *Charles Bathurſt*, Eſq; preſented a Petition to the Houſe of Commons, touching an Order made by the Houſe of Peers the 12th Day of *February*, 170$\frac{2}{3}$. with Relation to an Order made by the Court of *Exchequer*, the 15th of *July*, in the 13th year of King *William*, concerning an Inquiſition and Survey of the Boundaries of the Honour of *Richmond*, and Lordſhip of *Middleham*, and of many other Mannors bounding thereupon; and praying ſuch Relief on the Subject Matter of this Petition, as the Houſe ſhould think meet. Hereupon the Commons appointed ſome of their Members to ſearch the Journals of the Houſe of Peers, and the Officers of the Courts of *Exchequer* and *Chancery*, touching their reſpective Proceedings in relation to this Affair. Thoſe Members having made their Report, the Houſe in a Grand Committee took the ſame into conſideration, and after a long Debate, Reſolv'd, ' That the Houſe of Lords, taking Cognizance of, ' and Proceeding upon, the Petition of *Thomas* Lord ' *Wharton*, complaining of an Order of the Court ' of *Exchequer*, bearing Date the 15th of *July*, One ' Thouſand Seven Hundred and One, for Filing the ' Record of a Survey of the Honour of *Richmond*, ' and Lordſhip of *Middleham*, in the County of ' *York*, is without Precedent and Unwarrantable, ' and tends to the Subjecting the Rights and Proper-' ties of all the Commons of *England* to an Illegal ' and Arbitrary Power: And that it is the Undoubted Right of all the Subjects of *England*, to make ſuch uſe of the ſaid Record as they might by Law have

done, before the ſaid Proceedings of the Houſe of Lords.

On the other Hand, the Lords ſome time after, in anſwer to theſe two Heads, Reſolv'd and Declar'd, 'That the Houſe of Commons taking upon them, 'by their Votes to Condemn a Judgment of the 'Houſe of Lords, given in a Cauſe depending before 'their Lordſhips in the laſt Seſſions of Parliament, 'upon the Petition of *Thomas* Lord *Wharton*, and to 'declare what the Law is, in Crontradiction to the 'Proceedings of the Houſe of Lords, is without 'Precedent, Unwarrantable, and an Uſurpation of 'a Judicature, to which they have no ſort of Pre-'tence.

Ordering at the ſame time, their Reſolution to be forthwith Printed and Publiſh'd. As to the Caſe of *Aſhby* and *White*, They reſolv'd, 1. *That by the known Laws of this Kingdom, every Freeholder, or other Perſon, having a Right to give his Vote at the Election of Members to ſerve in Parliament, and being willfully denied, or hinder'd ſo to do by the Officer, who ought to receive the ſame, may maintain an Action in the Queen's Courts againſt ſuch Officer, to aſſert his Right, and recover Damages for the Injury*, 2. *That the aſſerting*, That a Perſon having Right to give his Vote at an Election, and being hindered ſo to do by the Officer, who ought to take the ſame, is without Remedy for ſuch Wrong by the ordinary Courſe of Law, *is deſtructive of the Property of the Subjects againſt the Freedom of Elections, and manifeſtly tends to Encourage Corruption and Partiality in Officers, who are to make Returns to Parliament, and to ſubject Freeholders, and other Electors, to their Arbitrary Will and Pleaſure.* 3. *That the declaring* Matthew Aſhby *Guilty of a Breach of Privilege of the Houſe of Commons, for Proſecuting an Action againſt the Conſtables of* Aylesbury, *for not receiving his Vote at an Election, after he had in the known and proper Methods of Law, obtain'd a Judgment in Parliament for Recovery of his Damages, is an unprecedented Attempt upon the Judicature of Parliament, and is in effect*

ject to subject the Law of England, *to the Votes of the House of Commons. And*, 4. *That the detaining Electors from Prosecuting Actions in the ordinary Course of Law, where they are depriv'd of their Right of Voting, and terrifying of Attornies, Solicitors, Counsellors, and Serjeants at Law from Soliciting, Prosecution, and Pleading in such Cases,* by Voting, their so doing, to be a Breach of Privilege of the House of Commons, *is a manifest Assuming a Power to Control the Law, to hinder the Course of Justice, and subject the Property of* Englishmen, *to the Arbitrary Votes of the House of Commons.*

This Affair, or what related to it, was not wholly determin'd to the end of the next Session of Parliament; when it was the occasion of very warm and violent Debates between the two Houses, and requir'd the Opinion of the Judges of the *Queens Bench*; at what time Her Majesty put an end to't by Proroguing the Parliament.

On the 1st of *February*, The Commons proceeded to take into Consideration the Account of the Conspiracy; and the Papers relating thereto being read, it was Unanimously Resolv'd: 'That an Address 'shou'd be presented to Her Majesty, acknowledging 'her great Goodness in Communicating these Pa-'pers; and that the House was abundantly satisfied 'in Her Majesty's Wise Conduct and great Care of 'her People; and also to assure Her Majesty, that 'they would to the utmost support Her against all 'Her Enemies whatsoever. And likewise, having taken into Consideration the Report of the Members, appointed to search the Journals of the House of Lords, touching their proceedings relating to the said Conspiracy, Resolv'd, That an Address shou'd be presented to Her Majesty, to clear the House from the Misrepresentations of the Lords, in their Representation (mention'd before) to Her Majesty.

About a Week after, for a further Vindication of the Royal Prerogative, the Commons resolv'd, First, That an humble Address be presented to her

Majeſty, That ſhe wou'd be pleaſed to re-aſſume the juſt Exerciſe of her Prerogative, and take to her Self the Examination of the Matters relating to the ſaid Conſpiracy Communicated to this Houſe by Her Majeſty; and to give aſſurance, That they will defend Her Majeſty's Sacred Perſon and Government, againſt all Perſons concerned in the ſaid Conſpiracy, and all other Conſpirations whatſoever: And to declare, That the Eſtabliſhing of a Committee of Seven Lords for the ſole Examination of the Conſpiracy, is of dangerous Conſequence, and may tend to the Subverſion of the Government. And 2dly, That the ſaid Reſolution be preſented to Her Majeſty by the whole Houſe.

This Addreſs being accordingly preſented to Her Majeſty, by the whole Houſe, ſhe was pleas'd to tell them, *Gentlemen, The great Marks of Truſt and Confidence which you have given Me in this Addreſs, are very acceptable to Me. I thank you for your Advice; and ſhall conſtantly exerciſe my juſt Prerogative for the Security and Satisfaction of My Subjects.*

Sometime before, Mr. Secretary *Hedges*, deliver'd to the Houſe the following Meſſage from Her Majeſty:

ANNA R.

HER Majeſty having taken into Her Serious Conſideration the mean and inſufficient Maintenance belonging to the Clergy in divers Parts of this Kingdom, to give them ſome Eaſe, hath been pleaſed to remit the Arrears of the Tenths to the poor Clergy; And for an Augmentation of their Maintenance, Her Majeſty is pleaſed to declare, That ſhe will make a Grant of Her whole Revenue ariſing out of the Firſt Fruits and Tenths, as far as it now is, or ſhall become free from Incumbrances, to be applied to this Purpoſe: And if the Houſe of Commons can find any proper Method, by which Her Majeſty's good Intentions to the poor Clergy may be made more Effectual, it will be a great Advantage to the Publick, and very Acceptable to Her Majeſty.

There-

Thereupon it was unanimously resolv'd, 'That an 'humble Address be presented to her Majesty, ex-'pressing the most humble and hearty Thanks of 'this House for her Majesty's most Gracious Mes-'sage, and the great and pious Concern her Maje-'sty has for the Encreasing the Maintenance of the 'poor Clergy out of her own Revenue; And for her 'Majesty's Goodness in Remitting the Arrears of 'Tenths to those who are Poor: And withal to as-'sure her Majesty, That this House will, according 'to her Majesty's Desire, do their Utmost to make 'her Majesty's Charitable Intentions most Effectu-'al.

The Commons having attended the Queen with this Address, her Majesty was pleas'd to tell them: *Gentlemen, I am very glad to find my Message has been so acceptable to you: I hope you will effectually improve it, to the Advantage of the Church by Law Establish'd, for which no Body can have a more true and real Concern than my Self:* Whereupon a Bill was brought in, *For the making more effectual her Majesty's gracious Intentions for the Augmentation of the Maintainance of all the poor Clergy, by enabling her Majesty to grant in Perpetuity the Revenues of the First Fruits and Tenths.*

This Gracious, and Bountiful Concession procur'd Her Majesty the Thankful Addresses of the Arch-Bishops, Bishops, and the Generality of the Clergy.

On the 21st of *February*, One *James Boucher*, formerly *Aid de Camp*, and Gentleman of the Horse to the Duke of *Berwick*, was arraign'd at the Queen's *Bench Bar*, upon two Indictments for High Treason; First, For being in Arms in the Service of the late King *James* in *Ireland*; and Secondly, For returning from *France* without Special Licence; to which he pleaded Guilty, but was afterward Pardon'd by Her Majesty's singular Clemency.

The Lords all this while, with great Zeal, and unwearied Application, examin'd into the particulars of the *Scotch Plot:* And on the 22d of *March*,

took into Consideration the Report of the Committee appointed to Examine into that Affair, and Resolved, 'That it does appear to this House, that 'there has been a Dangerous Conspiracy carried on 'for the raising a Rebellion in *Scotland*, and Invading that Kingdom with a *French* Power, in order 'to the Subverting of her Majesty's Government, 'and the bringing in the pretended Prince of *Wales*; 'That it is the Opinion of this House, that nothing 'hath given so much incouragement to this Conspiracy, as the immediate Succession of the Crown 'of *Scotland*, after her present Majesty, and the 'Heirs of her Body, is not declared to be in the 'Princess *Sophia*, and the Heirs of her Body being 'Protestants; That the Queen would be pleased to 'use her Endeavours, by such Methods as she shall 'think most proper, to have the Succession of the 'Crown of *Scotland* declared to be settled on the 'Princess *Sophia*, and to take such Measures as may 'most conduce to the Disappointment and Frustrating the Designs of her Enemies, who are ingaged 'in this Conspiracy against her Majesty and Government: That her Majesty be assured, that when 'her Endeavours shall take Effect for settling the 'Succession, this House will do all in their Power 'to promote an *Intire Union*, between the two 'Kingdoms, for their Mutual Security and Advantage. That the Lords appointed to take into 'Consideration the *Scotch* Conspiracy, have discharged the Trust reposed in them, with great 'Exactness, Care and Fidelity, and that the Thanks 'of this House be given them.

On the 24th, their Lordships had under Consideration, some other Matters relating to the Plot, and particularly the Service of Sir *John Maclean*, whom they voted deserving of her Majesty's Grace, and resolved that their Order of the 22d of *February* last, concerning his close Confinement be discharged: This debate brought in another, which lasted above an Hour, about the Earl of *Nottingham*, *as that he had not done his Duty in the Examination of* Sir John

John Maclean, *when first brought before him, by not asking him all the Queſtions he ought; for that afterwards he had Confeſſed other Matters to the Committee of Seven Lords:* But upon the Queſtion, his Lordſhip was juſtified to have done his Duty by the Plurality of 11 Voices.

The next Day the Houſe of Peers ſat late upon Mr. *Ferguſon*'s Narative of the *Scotch* Plot, and reſolved, 'That Mr. *Ferguſon*'s Papers, dated the 24th 'and 27th of *December*, 1703. and by him delivered 'to the Cabinet Council, were Falſe, Scandalous and 'Seditious, contrived to ſtifle the Conſpiracy, tending to Create an ill Opinion in her Majeſty of her 'good Subjects, and to promote the Intereſt of the 'pretended Prince of *Wales*. That the not paſſing 'the Cenſure on the Author of the ſaid Papers, nor 'ordering him to be taken into Cuſtody, or preſented for the ſame, before they were laid before 'this Houſe, was a great Incouragement to her Majeſty's Enemies, and of dangerous Conſequence to 'her Government, and Proteſtant Succeſſion, as 'Eſtabliſhed by Law; and ordered that Mr. *Robert Ferguſon* be committed to *Newgate*, that the 'Atrorney General Proſecute him for Treaſonable 'Practices, and give an Account of this Proſecution on the firſt Week of the next Seſſion of Parliament to this Houſe. They alſo order'd, That Sir *Thomas Stuart* ſhou'd be diſcharged out of Cuſtody. The ſame Day they ordered, one Mrs. *Fox* to be committed to *Newgate*, and proſecuted for High Treaſon, ſhe having been at St. *Germans* to carry on Intrigues, in favour of the Titular Prince of *Wales*.

As we have mention'd *Ferguſon*'s Narative, it will be proper to ſhew what Ambiguous Turns, and Subtle Windings it contain'd, that ſo provok'd the diſpleaſure of the Lords.

Ferguſon's *Narrative, as deliver'd by him to the Cabinet Council*, Decemb. *the* 24*th*, 1703.

I Do Solemnly declare, as far as concerns either my Knowledge or Belief, there is not a Nonjuror, or one reckoned a Jacobite engaged in a Plot, or that will be againſt her preſent Majeſty, and the Government; yea, it is ſo far from giving them uneaſineſs, that her Majeſty is in the Throne, that they heartily Bleſs God, that the Monarchy is Reſerved againſt the deſigns of the Republicans, and that one of the Serene Family of the *Stuarts* poſſeſſeth the Sovereignty, in deſpight of all the Endeavours of ſuch, as would have either ſupplanted her, had the late King *William* lived, or would have brought either the Princeſs of *Hannover*, or the Prince her Son into *England* or *Scotland*, during her Reign ſince his Deceaſe; and though 'tis not to be denied, but there are thoſe in her Majeſty's Dominions, who will not Swear to ſerve her againſt the Prince at St. *Germains*, yet ſince they are willing to Live quietly under her Majeſty's Authority, 'tis hoped they'll be diſtinguiſh'd from Traytors and Rebels.

And ſhould the weight of Foreign Affairs bring her Majeſty into a neceſſity of Capitulating with *France*, there are none in theſe Kingdoms, who will be either more careful for the ſecurity of the Proteſtant Religion, and of the Church of *England* as by Law Eſtabliſh'd, or of her Majeſty's enjoying the Royal Dignity during her Life (as was Anciently Stipulated in this Kingdom between firſt *Henry* the 2d Son of the Empreſs *Maud*, and King *Stephen*, and 2dly between *Richard* Duke of *York*, and King *Henry* the 6th) than they who are Branded and Stigmatized for Jacobites, will.

Nor are the *French* Plots againſt her Majeſty to be much dreaded, whilſt the Miniſters of that King know not better how to chooſe their Tools for promoting them, than to imploy Captain *Frazier* in *Scotland* on ſuch a Deſign, who is both ſo Obnoxious to

to the Laws of that Nation, and accounted Infamous by all Men, for the vileſt and moſt abominable Crimes.

Neither can it be reaſonably imagined, that his Grace the Duke of *Queensberry*, who not only protected the ſaid *Frazier* in *Scotland*, but obtained a Paſs by a ſham Name of the Right Honourable the Earl of *Nottingham* here, for conveying him abroad again, would be in a Conſpiracy with the Court of *France* againſt her Majeſty, and the preſent Government.

And it ought to be held ridiculous, that either my Lord *Stairs*, who was the Author of the Maſſacre of *Glencoe*, or Mr. *William Carſtaires*, who was deeply engag'd, both in the intended Aſſaſſination at the *Rye Houſe*, and in all the Treaſonable deſigns, as well againſt King *Charles* the 2d, as againſt the late King *James*, while in the Throne, ſhould now become imbark'd in the Service with thoſe at St. *Germains*, and Co-operate with thoſe who are ſaid to be carrying on the Exalting the Prince of *Wales* to the Throne of his Anceſtors.

Nor will it paſs upon any Man of Common Senſe, that the Duke of *Queensberry*'s Confidence and Kindneſs to, and ſingular Care for the Covering and Protecting Captain *Frazier*, ſhould be meerly in hopes of *Frazier*'s getting his Grace's Pardon, in caſe of a Revolution, as the ſaid *Frazier* was pleaſed to ſay, both to my ſelf and others, as I have been told, and not rather to that Duke's Intelligence from abroad, as his Grace is reported to have affirmed.

And what ſort of Informations his Grace had contracted with him about, may be partly conjectured from the Rumour which ſhould have obtain'd Credit for ſome time, about the Term of a Plot carrying on in *Scotland* againſt her Majeſty, wherein not only the Duke of *At——l*, but divers others of the firſt Quality in that Kingdom, were criminally concerned.

But as to the moſt exact knowledge, what Tidings *Frazier* was to convey to the Duke of *Queensberry* the

from the other ſide were to be, will be learned from intercepted Letters hither and thither, getting the Duke of *Athol* acquainted how ſuch Letters might be laid hold of, and his Grace's ſaying it before her Majeſty's undeniable Evidence, that both the Duke of *Athol*, and my ſelf, are far from being in a Conſpiracy againſt Her Majeſty, and Government.

Nor can it eſcape the obſervation of Her Majeſty, and the Honourable Lords of the Privy Council, how precarious the Lives as well as the Liberties and Fortunes of all ſuch muſt be, againſt whom either *Frazier* doth entertain Reſentments and bear Revenge, (as he is known to do, in Reference to the Duke of *Athol*, and to many more of the firſt Rank in *Scotland*) or the Duke of *Queensberry* himſelf harbour the leaſt Grudge.

And ſeeing it will contribute to the giving further light in this matter, to have thoſe ſtrictly examined, who either here, or in *Scotland*, have had the ſecret Converſation and Tranſactions with Captain *Frazier*, 'tis my humble Opinion, that beſides what may be Learned from the Laird *Lathel*, from other heads of the Highland *Clans* in *Scotland*, all whoſe Names are in great probability known to his Grace the Duke of *Queensberry*, it having been under his Grace's Protection, as well as Advice, that *Frazier* went to them, ſo much more in the uſe of proper Methods, may be gained from Mr. *Keeth* and *Lieut. Campbell*, who of all Men ſeemed to be more in *Frazier*'s Confidence, and in his Secrets, than they have yet declared.

And in my humble Opinion, 'twill be one of the moſt effectual courſes to prevail with them, to deal openly, and without reſerve, if they ſhall be threatned with the being ſent to *Scotland*, in order to be proceeded againſt.

Nor is it unlikely, but ſomething conſiderable in this Affair, may be wreſted out of Mr. *Carſtaires*, in that he having procured of the late King *William* a Pardon to *Frazier*, with reſpect to his having levied

War,

War, and being ſtill reckoned by *Frazier*, for one of his eſpecial Friends, (which alſo was told to my ſelf by the ſaid *Frazier*) 'tis not to be ſuppoſed, but that one endowed with the inſinuating Faculty and Art, for which Mr. *Carſtaires* is ſo much valued by his Party, as he is known to be, would wind himſelf as much as he could, to the knowledge of what *Frazier* came to tranſact in *Scotland*, eſpecially when he could not avoid the having a proſpect of rendring the being let into it, ſerviceable to the Intereſt of the Kirk.

Robert Ferguſon.

Having gone thus far in Sifting, and Examining into the Bottom of this Conſpiracy: The Lords came to the following Reſolution; which they expreſs'd in their Humble Addreſs to Her Majeſty on that occaſion. 'That it does appear to us, there has 'been a dangerous Conſpiracy carried on for raiſing 'a Rebellion in *Scotland*; and Invading that King-'dome with a *French* Power, in order to the Sub-'verting your Majeſty's Government both in *Eng-'land* and *Scotland*, and the bringing in the Pre-'tended Prince of *Wales*.

'We alſo Humbly take leave to offer to your 'Majeſty, as our Concurrent Opinion, that nothing 'has given ſo much Encouragement to your Ene-'mies at Home and Abroad, to enter into this de-'teſtable Conſpiracy, as that after your Majeſty, 'and the Heirs of your Body, the immediate Suc-'ceſſion of the Crown of *Scotland* is not declar'd to 'be in the Princeſs *Sophia*, and the Heirs of her Bo-'dy, being Proteſtants. To which Her Majeſty made the following anſwer:

My Lords,

I *Have ſome time ſince declar'd my Intentions of endeavouring the Settlement of the Proteſtant Succeſſion in* Scotland, *as the effectual means for ſecuring their Quiet and our own, and the readieſt way to an entire*

Union

Union between both Kingdoms; in the perfecting of which, it is very desirable no time shou'd be lost.

In conclusion of which, Her Majesty on the Third of *April* came to the House of Peers, and having given Her Royal Assent to the several Bills ready, she made the following Speech.

My Lords and Gentlemen,

I *Cannot put an End to this Session, without Returning you Thanks for the Willingness which you all have Expressed to Support and Assist Me in continuing the present War.*

And I must thank You, Gentlemen of the House of Commons *very particularly, for the great Forwardness and Zeal which you have Shewn, both in the early Dispatch of the Supplies, and in making them so Effectual for Carrying on the Publick Expence, without any Additional Burthen upon the Country; it shall be My Care to Improve this to the best Advantage.*

My Lords and Gentlemen,

At the Opening of this Session I did earnestly Express My Desires of Seeing you in perfect Unity among your selves, as the most Effectual Means imaginable to Disappoint the Ambition of Our Enemies, and Reduce them to an Honourable and lasting Peace; and tho' this has not met with all that success which I Wish'd and Expected, *yet being fully Convinc'd, That nothing is so Necessary to Our Common Welfare,* I am not Discouraged *from Persisting in the same Earnest Desires, that you would go down into your several Countries, so Disposed to Moderation and Unity, as becomes all those* who are joined together in the same Religion and Interest.

This I am perswaded will soon make you sensible, That nothing, next to the Blessing of God, can so much Contribute to Our Success Abroad, and to Our Safety at Home. The Queen having ended Her Speech, The Lord-Keeper, by Her Majesty's Command, Prorogued the Parliament to *Tuesday* the Fourth Day of *July* next.

The

The Parliament being thus broke up, we ſhall have leizure to Mention an Affair very material in this Hiſtory, and of which we have hitherto been prevented from ſpeaking, by the Multitude of Buſineſs that Crowded this Seſſion. It is principally to be obſerved, that one of the Motives which induced the King of *Portugal* to enter into the Grand Alliance, was, that the Arch-duke of *Auſtria* ſhou'd be declar'd King of *Spain*, and come in Perſon into *Portugal*: The Admirante of *Caſtile* doubting the Heſitations of the *German* Councils, which were for putting off the departure of the Arch-duke till the Spring following, publiſh'd a Momorial to prove, that the preſence of that Prince was abſolutely neceſſary in *Portugal*, and wou'd admit of no delay: His reaſons were thought ſo ſolid, that ſoon after the Arch-duke was declar'd King of *Spain*, and ſet out with a Noble Retinue for *Holland*. He Arriv'd at the *Hague* the Second of *November*, and in *England*, not till the Twenty-ſixth of *December* following, being detain'd by contrary Winds: His Majeſty came firſt to *Spithead*, where the Duke of *Somerſet* waited on him from the Queen, with a Letter and Compliment, acquainting him, that Her Majeſty was come to *Windſor* on purpoſe to recieve the Viſit he intended to make her. The next Night, His Majeſty lay at *Petworth*, at the Duke of *Somerſets*, where His Royal Highneſs Prince *George* was Arriv'd to meet him; and came the next day to *Windſor*, where the Queen reciev'd him with Demonſtrations of Reſpect and Affection. He Supp'd that Night with Her Majeſty, and the next day was entertain'd with Diverſions, the Court making a very ſplended Appearance on that occaſion. Having taken his leave of Her Majeſty, accompanied by the Duke of *Somerſet* and other Perſons of Quality, he ſet out again for *Portſmouth*, and Sail'd in a few days for *Lisbon*, but was forc'd back by a Violent Storm, which ſcatter'd the Fleet, and did Damage to ſeveral Ships; but by the Admirals, Sir *George Rook*, and the Duke of *Somerſets* care, the Fleet was in a readineſs to put to Sea again by the firſt of *February*; but the

the Winds continuing ſtill croſs, it was the 12th of that Month before the Fleet ſail'd from St. *Helens*, and on the 25th Arriv'd at *Lisbon*, where we ſhall leave him, till a clearer opportunity to purſue the Hiſtory of that Prince.

It is neceſſary to obſerve, that upon the Duke of *Savoy*'s declaring War againſt *France*, that King ordered the Duke *de Vendoſme* to ſieze and diſarm his Troops, and to Invade the Frontiers of *Savoy*: On the other hand Count *Staremberg*, who commanded the *Imperial* Forces in *Italy*, ſent a Detachment of 1500 Horſe, under the Conduct of Count *Viſconti* to his Royal Highneſs's Aſſiſtance: This handful of Men were attack'd in their March by the Enemy, but having bravely fought their Way through, moſt of them got ſafe into *Piedmont*. However, this being too ſlender a Supply to ſecure the Duke of *Savoy* from being intirely oppreſs'd by the *French* and *Spaniards*, expreſs Orders were ſent from *Vienna* to Count *Staremberg* to join, at any Rate, his Royal Highneſs's Forces with the beſt Part of the *Imperial* Army. Accordingly, that wiſe and valiant General having made a Motion toward the *Mincio*, to amuſe the Duke of *Vendoſme*, and make him believe he deſign'd to go into *Germany*, turn'd on a ſudden, paſs'd the *Secchia* on the 26th of *December* (N. S.) and directed his March through the Countries of *Parma* and *Placentia*, having divided his Forces, which amounted to near 16000 Men, into three Bodies, the firſt of which was Commanded by the young Prince of *Vaudemont*, the ſecond by General *Vaubonne*, and the third which form'd the Rear Guard, by General *Starembergh* in Perſon. On the 2d of *January* the Imperialiſts defeated a Detachment of 400 Horſe, and 40 Granadiers of the Forces of *Milan*, and with the like ſucceſs attack'd the next Day 200 *French* Horſe near *Brono*; and 200 *Spaniſh* Foot, and ſome Militia commanded by *French* Officers, and entrench'd at *Stradella*. The 4th the *Germans* paſs'd the *Stradella*, and continued their march, leaving 130 Dragoons in theſe Intrenchments, to make the

French

French believe they deſign'd to reſt in that Place, and in their way to *Brono* routed 500 *French* Horſe. In the mean time the Duke of *Vendoſme*, who follow'd the Imperialiſts with 5000 Foot, and 1500 Horſe, arriv'd the 3d at *Sarmata*, and hearing of the Action happen'd that Day at *Stradella*, he haſten'd thither, and drove the *German* Dragoons from theſe Intrenchments. The whole Imperial Army being join'd, they march'd towards the *Parma*, and finding ſome Troops poſted on the other ſide to oppoſe their Paſſage, whilſt Monſieur *de Vendoſme* march'd to attack them in the Rear, General *Vaubonne* ſwam over with ſome choice Squadrons, and beat the Enemy from that advantagious Poſt. The *Germans* then laid a Bridge on that River, over which moſt of the Army paſt; but that Bridge being made in haſte, of old rotten Boats, it unfortunately broke down, before the Rear, commanded by the Prince of *Lichtenſtein* and Count *Solari*, could all get over. Thereupon the *French*, who by this time were come up, attack'd thoſe Troops left on the other ſide, which occaſion'd a ſharp Diſpute, wherein theſe two brave Generals were kill'd; but the Imperial Horſe ſwiming once more over the River, reſcued the Foot, and the Bridge being repair'd, the whole Army paſs'd, and on the 13th join'd the Duke of *Savoy*, having not loſt above 400 Men in that prodigious and memorable March. His Royal Highneſs having diſpos'd his new Gueſts into Quarters of Refreſhment, and view'd the Fortifications of *Verrue*, *Verceil*, and other Poſts, return'd the 25th of *January* (N. S.) to *Turin*, where he gave Audience to the Envoy Extraordinary of *England* and *Holland*. 1704.

Some Changes having been made in the Miniſtry of *Scotland*, the Parliament met the 6th of *July* at *Edinburgh*, to whom Her Majeſty's Letter was Read as follows:

My Lords and Gentlemen,

NOthing has troubled us more ſince our Acceſſion to the Crowns of theſe Realms, than the unſettled State of Affairs in that our Ancient Kingdom.

We hop'd, that the Foundations of Differences and Animoſities, that to our great Regret we Diſcovered among you, did not lie ſo deep, but that by the Methods we have proceeded in, they might have been removed.

But inſtead of Succeſs in our Endeavours, the Rent is become wider; Nay, Diviſions have proceeded to ſuch a Heigth, as to prove Matter of Encouragement to our Enemies beyond Sea, to employ their Emiſſaries among you, in order to Debauch our good Subjects from their Allegiance, and to render that our Ancient Kingdom, a Scene of Blood and Diſorder (meerly as they ſpeak) to make you ſerve for a Diverſion.

But we are willing to hope, that none of our Subjects, but ſuch as were Obnoxious to the Laws for their Crimes, or Men of low and deſperate Fortunes, or that are otherwiſe unconſiderable, have given Ear to ſuch pernicious Contrivances. And we have no reaſon to doubt of the Aſſurances given us by thoſe now Entruſted with our Authority, that they will uſe their utmoſt Endeavours to Convince our People of the Advantage and Neceſſity of the preſent Meaſures; for We have always been enclined to believe, That the late Miſtakes did not proceed from any want of Duty and Reſpect to us, but only from different Opinions as to Meaſures of Government.

This being the Caſe, we have reſolved, for the full Contentment and Satisfaction of our People, to grant whatever can, in reaſon, be Demanded, for rectifying of Abuſes, and quieting the Minds of all our good Subjects.

In order to this, we have named the Marquis of Tweddale our Commiſſioner, he being a Perſon of whoſe Capacity and Probity, or Qualifications and Diſpoſitions to ſerve us and the Country, neither we nor you can have any doubt. And we have fully Empowered him to give

give you unquestionable Proofs of our Resolution to maintain the Government both in Church and State, as by Law Establish'd, in that our Kingdom; and to consent to such Laws, as shall be found wanting for the further Security of both, and preventing all Encroachments on the same for the future.

Thus having done our Part, we are perswaded that you will not fail to do yours, but will lay hold on this Opportunity to shew the World the Sincerity of the Professions made to us, and that it was the True Love of your Country, and the Sense of your Duty to it, and therefore not the want of Duty to us, for we shall always reckon these two inconsistent, that was at the bottom of the late Misunderstandings.

The main thing that we Recommend to you, and which we Recommend to you with all the Earnestness we are capable of, is, The Settling of the Succession in the Protestant Line, as that which is absolutely necessary for your own Peace and Happiness, as well as our Quiet and Security in all our Dominions, and for the Reputation of our Affairs Abroad; and consequently, for the strengthning the Protestant Interest every where.

This has been our fixed Judgment and Resolution ever since we came to the Crown; And though hitherto Opportunities have not answer'd our Intentions, Matters are now come to that pass, by the undoubted Evidence of the Designs of our Enemies, that a longer Delay of Settling the Succession in the Protestant Line, may have very dangerous Consequences; and a Disappointment of it would infallibly make that our Kingdom the Seat of War, and expose it to Devastation and Ruin.

As to Terms and Conditions of Government, with regard to the Successor, we have empowered our Commissioner to give the Royal Assent to whatever can in reason be Demanded, and is in our Power to Grant, for Securing the Sovereignty and Liberties of that our Ancient Kingdom.

We are now in a War, which makes it necessary to provide for the defence of the Kingdom, the Time of

the Funds that were lately given for Maintenance of the Land Forces being expired, and the ſaid Funds exhauſted, Proviſion alſo ought to be made for Supplying the Magazines with Arms and Ammunition, and repairing the Forts and Caſtles, and for the charge of the Frigats, that prove ſo uſeful for guarding the Coaſts.

We earneſtly Recommend to you, whatever may contribute to the Advancement of true Piety, and the Diſcouragement of Vice and Immorality; and we doubt not but you will take Care to encourage Trade, and to Improve the Product and Manufactories of the Nation: In all which, and every thing elſe that can be for the Good and Happineſs of our People, you ſhall have our hearty and ready Concurrence: We ſhall only add, That Unanimity and Moderation in all your Proceedings, will be of great uſe for bringing to a happy Iſſue, the important Affairs that we have laid before you, and will alſo be moſt acceptable to us: So we bid you Heartily Farewell.

Given at our Court at *Windſor*, the 25th day of *June*, 1704. and in the Third Year of our Reign.

This was Succeeded by the Lord Commiſſioner's, and the Lord Chancellor's Speeches, as alſo the Earl of *Clomarty*, Lord Secretary; after which, the Houſe fell to Debating the Succeſſion, and an Overture was given in by way of Reſolve: That the Houſe would ſtand by Her Majeſty's Perſon and Government, without Naming a Succeſſion to the Crown of *Scotland* during that Seſſion of Parliament; but would agree on ſuch Conditions of Government, to take effect after Her Majeſty's Death, as might beſt conduce to free that Nation from *Engliſh* Influence: To the End the *Scots* might be in a Condition to Treat about a Federal Union. Nothing was done in this Reſolve at that time; but two days after the Duke of *Hamilton* propos'd another much of the ſame Importance: *Not to Name the Succeſſor, till the* Scots *have a Previous Treaty with* England,

England, *for Regulating their Commerce and other Concerns.* Soon after, (*July* 17th) came on the Debate about the Duke of *Hamilton*'s Reſolve, at which time the Earl of *Rotheſs* preſented another to the ſame effect: This occaſion'd long and warm Debates.

Thoſe who oppos'd the preſent ſettling of the Succeſſion, made very ſharp Speeches againſt the Proceedings of the Parliament of *England*, with Relation to the Plot; which had great Influence on ſeveral Members. At laſt, both the Duke of *Hamilton*'s, and the Earl of *Rotheſs*'s Reſolves being join'd into one, the previous Queſtion was put, *Whether to put this joint Reſolve to the Vote, or to Vote them ſeparately?* And it was carried to Vote them jointly by 42 Voices. Then the joint Vote, *viz. That this Parliament will not proceed to a Nomination of a Succeſſor, until we have a previous Treaty with* England, *for Regulating our Commerce, and other concerns with that Nation*; And, *That this Parliament will proceed to make ſuch Limitations and Conditions of Government, for the Rectification of our Conſtitution, as may ſecure the Religion, Liberty and Independency of this Nation before they proceed to the ſaid Nomination:* This joint Vote, being put, *Approve* or not? it was carried, *Approve*, by a Majority of 55 Voices.

After this Vote was carried, it was moved by the Duke of *Athol*, Lord Privy-Seal, That her Majeſty having graciouſly pleas'd to ſignifie by her Commiſſioner, that the Examination of the Plot ſhould be laid before the Parliament, his Grace the Lord Commiſſioner would be pleaſed to write to her Majeſty to ſend down the Perſons who were Witneſſes, and all the Papers relating to that Plot as ſoon as poſſible, that that Affair might be examin'd to the bottom; and thoſe who were unjuſtly and falſly Accuſed, might be vindicated; and thoſe who were Guilty might be puniſh'd according to their deſervings: Upon which the Lord Chancellor declar'd by Order of the Lord Commiſſioner, That his Grace had writ, and

would again Write to Her Majeſty, to ſend down the whole Evidences relating to the Plot as ſoon as poſſible.

Two Days after, the Duke of *Hamilton* propos'd this Reſolve, *viz*, 'That the Parliament would proceed to make ſuch Limitations and Conditions of 'Government, for the rectifying of the Conſtitution, as might ſecure the Religion, Liberty and Independency of this Nation; and that they would 'Name Commiſſioners to Treat with *England* for 'Regulating Commerce, and other concerns with 'that Nation, previous to all other Buſineſs, except 'an Act for two Months Ceſs, firſt of all to be granted for the preſent Subſiſtence of Her Majeſty's 'Forces. Thereupon the Earl of *Marchmont* made a long Speech, the ſubſtance of which was, 'That 'ſince the Houſe had reſolv'd not to fall immediately upon ſettling the Succeſſion, it was reaſonable that an Act ſhould be made to exclude all *Popiſh* Succeſſors: To which the Duke of *Hamilton* anſwer'd, *That he ſhould be one of the firſt who ſhould draw his Sword againſt a* Popiſh *Succeſſor, though he did not think this a proper Time, either, to ſettle the Succeſſion, or to conſider of the Earl of* Marchmont's *Propoſal.* After ſome Debates, the Conſideration of the Duke of *Hamilton*'s Reſolve was adjourn'd to the 21ſt, when it was moved, That the Act preſented by the Lord Juſtice *Clerk*, and declar'd by him to be for fourteen Months Supply, payable in two Years, might likewiſe be conſider'd: Whereupon, after debate, it was put to the Vote, whether to give a Ceſs for two, or for ſix Months? And it was carried by 16 Voices, that it ſhould be for ſix Months. The ſame day, an Overture for nominating Commiſſioners to Treat with *England* was read; as was alſo a Petition of *David Baillie*, Priſoner in the Caſtle of *Sterling*, by ſentence of the Council, for accuſing the Duke of *Queensberry*, and the Marquis of *Anandale*, of a deſign to ſuborn him againſt the Duke of *Hamilton*, the Duke of *Athol*, and others, in Relation to the Plot; praying to be ſet at

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at Liberty, which was granted, upon his finding Bail to appear before the Parliament, when call'd.

On the 25th of *June*, The Act of Supply was again taken into Conſideration, and an additional Clauſe about the Security of the Kingdom, offered to be added to the Act of Supply, read; And after debate thereon, the following Reſolve was offered by the Lord *Roſs*, viz. *That the Parliament will proceed to grant two Months Supply, for ſubſiſting her Majeſty's Forces, and as ſoon as the Act of Security, now read, has got the Royal Aſſent will give four Months more.* And then a ſecond Reſolve was preſented by the Earl of *Roxburgh*, viz. *That there be a firſt reading mark'd on the Act for Security, and that both this Act, and that for the Supply, lie without being farther proceeded on, until his Grace, her Majeſty's Cimmiſſioner, receive Inſtructions as to the Act of Security, it being then free to the Parliament to proceed to the Acts jointly or ſeparately, as they ſhall think fit.* After reaſoning on both the Lords Reſolves, the Queſtion was ſtated, approve the firſt Reſolve preſented by the Lord *Roſs*, or the ſecond Reſolve preſented by the Earl of *Roxburgh*, and carried, approve the ſecond. And the Act of Security being read, a firſt reading was ordered to be mark'd thereon.

Her Majeſty's Commiſſioner appointed the next ſitting of Parliament to be for diſcuſſing private Buſineſs; and 'twas agreed that previous to all other, the Act of Diſſolution, in favour of *James* Marquis of *Montroſs*, ſhould be taken into Conſideration.

Ten Days after, the Act of Security receiv'd the Royal Aſſent, upon which occaſion the Lord High Commiſſioner made the following Speech:

My Lords and Gentlemen,

'AT your ſitting down, her Majeſty in her Gracious Letter recommended to you two things, which ſhe thought moſt neceſſary for your own Quiet and Security, as well as for that of her Government; The ſettling of the Succeſſion in the Proteſtant Line, and the providing for the Subſiſtence of the Forces, the Funds laſt given for that End being then exhauſted. The firſt of theſe you have not thought fit for your Intereſt to do at this time, I heartily wiſh you may meet with an Opportunity for it, more for your advantage, at another. The other all of you ſeem'd moſt ready and willing to go into, as witneſs the ſeveral Motions and Reſolves made there anent, but withal ſhew'd ſtrong Inclinations for an Act of Security, as abſolutely neceſſary. I told you then, as I had done at firſt, that I had been fully impower'd, and inſtructed not only as to that, but many other things for your Good, but upon the Alteration of Circumſtances had not now the Liberty to make uſe of thoſe Powers even as to that, till I had acquainted her Majeſty, and knew her Mind, which I would do, and uſe my outmoſt Intereſt to procure it favourable, which was the true Reaſon of your long Adjournment, and not what was inſinuated by ſome, who ought to have known me better; the Character I have in the Wold, being, as I hope, above ſo mean a Reflection.

'And now, *My Lords and Gentlemen*, I can tell you that from her Majeſty's innate Goodneſs, and Gracious Diſpoſition towards you, it hath been more eaſie for me, and ſome other of her Servants, to prevail with her than perhaps was by others expected; ſo that you have an Act of Security ſufficient for the Ends propoſed: And it's hop'd at the ſame time you will perfect that of Supply, which you your ſelves ſeem convinced to be abſolutely neceſſary at this time, and without which, neither

'neither the Forces can be kept on Foot, nor any 'Frigates maintained for Guarding our Coasts, and 'securing our Trade, both which, now lying before 'you, I hope you will go presently about; that 'when finished they may have the Royal Assent, 'which I am ready to give, and thereafter you may 'have time to proceed to other Business relating to 'Trade, or your other concerns, wherein I shall 'be willing to comply with your Desires, so they 'be within the Bounds of my Instructions.

Four Days after, it was moved and agreed, that a Day be appointed for Examining the Plot; and that such Papers concerning it, as were sent from *London* to the Privy Council, might be transmitted to the Clerks of the Parliament. The same Day, an Act discharging the Importation of Woollen Manufactory, and allowing the Exportation of Wool and Skins was read, and after some Debate, order'd to be mark'd a first Reading. The four next *Sederunts* (or Sittings) of the Parliament were wholly spent on the Examination of publick Accounts. And on the 22d of *August*, they had a long and high debate about the Exportation of Wool: Many Members wisely urging how ill it would be taken by the *English*; But at last it being put to the Vote, export or not? It was carried in the Affirmative; though it was afterwards resolv'd that a Restriction should be put upon it, by an additional Duty. The next Day the Act allowing the Importation and Exportation of Wool pass'd the House: And on the 24th, the Captain of an *English East India* Ship seiz'd by order of the *Scotch African* Company, and accus'd of breaking Bulk in *Scotland*, presented a Petition to the Parliament: But the Company having given in another Petition on their side, to justifie their Proceedings, the House would not meddle in that Affair; so that it was left to a Trial at Law. Three Days after the High Commissioner made the following Speech to the Parliament.

My

My Lords and Gentlemen,

YOU have now ſat long, and I think you cannot complain that you have been cut ſhort by frequent Adjournments, or ſhort Sederunts. In this time more might have been done, however ſome good Laws are paſt, and one in particular which gives ſufficient Evidence of the Diſpoſition her Majeſty was in to have gratified you in whatever was reaſonable. I advertis'd you lately, that you had not much longer to ſit, and though I cannot but ſay the time you had ſince has been very uſefully employed, yet, if there had been more diſpatch made, ſome of thoſe good Laws which are now before you might have paſt; but now I muſt tell you, that I am not allowed to give you any more time, her Majeſty thinking a ſhort Receſs neceſſary at preſent, ſo it will not be long till you have another Opportunity of doing what ſtill remains fit to be done, for no Diſappointment her Majeſty hath met with, can alter, in the leaſt, her favourable Diſpoſition towards this her ancient Kingdom.

Which done, the Parliament, by his Grace's Order, was Prorogued to the Seventeenth of *October:* But before they Separated, they drew up an Addreſs to her Majeſty, deſiring that the Evidence and Papers relating to the Plot, might be laid before them againſt next Seſſion.

The attending the *Scotch* Parliament at this time, has driven us paſt ſome neceſſary Points to be underſtood in this Hiſtory, to which we muſt now return. It is to be remember'd, that the States of *Holland* about the Month of *January*, had repreſented to the Queen, that the coming over of the Duke of *Marlborough*, to the *Hague*, might be of great Advantage to the common Cauſe, by concerting there ſome meaſures with them to be taken in this juncture, and having deſired Her Majeſty to give his Grace leave to paſs the Sea for a few Days, Her Majeſty was pleas'd to direct him to go to the *Hague* for that purpoſe; accordingly he embark'd on the 15th of *June* following for *Holland*, and arriv'd three days after

after at the *Hague*; and having had ſeveral Conferences with the Deputies of the States General, upon ſome very Important (but Secret Affairs) his Grace left that Place on the 11th of *February*, and arriv'd on the 14th again in *England*.

Quickly after the Duke's arrival, a Memorial was ſent to Her Majeſty by Count *Wratiſlaw*, the Emperor's Envoy Extraordinary; 'Repreſenting 'the preſſing Neceſſities of the Empire, by the 'breaking in of a conſiderable Army of *French* into '*Bavaria*; and withal requeſting, that Her Maje'ſty, out of the ſame Zeal for preſerving the Li'berties of *Europe*, for which ſhe was ſo much 'fam'd among the Potentates in Alliance with Her, 'wou'd be pleas'd to order his Grace the Duke of '*Marlborough*, Her Captain General, Seriouſly to 'conſult with the States of *Holland*, of the ſpeedieſt 'Method for aſſiſting the Empire; by conducting 'at leaſt ſome part of the Troops in Her Majeſty's 'pay, to preſerve *Germany* from a Total Subverſion.

But either the foregoing Memorial was but matter of Form, or the Emperor's Envoy was then unacquainted with the Project his Grace had already form'd to deliver the Empire: And which, 'tis ſaid, he had Communicated to Three Perſons only in *England*, viz. The Queen, Prince and Lord Treaſurer, and not to above Two Perſons more in *Holland*; and not to any of the Imperial Court, before he was ready to put it in Execution. In order to which, his Grace embark'd at *Harwich* toward the Middle of *April*, with General *Churchil* his Brother, Lieutenant General *Lumley*, Lord *Orkney*, and other Officers; and Two Days after ſafely Landed at *Maeſland Sluys*, and the ſame Evening arriv'd at the *Hague*. The 23d of *April* (N. S.) he was attended by a Deputation of the States General, with whom he had a preliminary Conference about the Meaſures he thought moſt proper for the enſuing Campaign; and ſent Orders to the Troops that had been Canton'd in the Neighbourhood of *Liege* and *Maeſtrick*, with part of the Garriſons of thoſe places,

to

to assemble on the rising Ground of *Leon*, and Encamp at the Village of *Harcourt*. On the 2d of *May*, his Grace had another long Conference with the Deputies of the States General, wherein he declar'd to them the Project he had concerted long before, and of which he had only given some Hints to those he cou'd most confide in, when he was last at the *Hague*; declaring that he thought his Marching into *Germany* wou'd most conduce to the Advantage of the Confederacy. The States spent a whole Day in Consultation upon the Duke's Proposal, which yet nevertheless some of that Assembly were backward to give their Concurrence to. The next Day the Duke had a Conference with the States General themselves, and the Council of State, to whom he made a very lively Representation of the Eminent Danger that Threaten'd the whole Empire, and indeed all *Europe*, if a speedy Check were not given to the Progress of the *French* and *Bavarians* in *Germany*; adding, that being now entire Masters of the *Maese*, and all *Spanish Guelderland*, a small Number of Forces were able to secure their Frontiers. These Reasons supported by the Reputation of him that deliver'd 'em, made so great an Impression on the whole Assembly, that all Affairs relating to the Operation of the Campaign, were in this one Conference happily adjusted. After which, the Duke took his leave of the States, and on the 5th of *May* set out from the *Hague*, and arriv'd the 8th at *Ruremond*, giving orders for the *English* Troops, and other Forces posted thereabouts, to join and March towards *Coblentz*; and gave orders also at the same time for Building a Bridge, over which, as 'twas industriously given out, the Forces were to March to the *Moselle*; Two days after his Grace went to *Maestrick*, and review'd the *Dutch* Army. On the 16th he proceeded from thence, and the same Evening join'd a Detachment Commanded by Brigadier General *Ferguson*, with Five Squadrons of *Dutch* Horse, and Eleven Pieces of Cannon of the *Dutch* Train. The 8th he march'd to *Bedbourgh*, and

and was there join'd by General *Churchil*, with the *Engliſh* Forces, and Train of Artillery.

The *French* in *Flanders* during theſe preparations, imagin'd his Grace deſign'd no leſs than to open the Campaign with the Siege of *Traerback*, and endeavour to advance into *France* along the *Moſelle*, upon which ſuppoſition they detach'd Eight Batallions, and Sixteen Squadrons toward that River, and gave out they wou'd Beſiege *Huy*, thinking by this Report to ſtop his Progreſs; but his Grace ſlighting this Amuſement, as well knowing the Forces he had left in *Flanders* were ſufficient to fruſtrate any Attempt they cou'd make on that ſide, continu'd his March, and advanc'd the 20th of *May*, from *Bedbourgh* to *Kerpen*, and the next Day to *Kulſecken*, where he receiv'd an Expreſs from Prince *Lewis* of *Baden*, confirm'd by Letters from the Prince of *Heſſe* and others, all agreeing that the *French* might force their Paſſage through the *Black Forreſt*, and bring a new Addition of ſtrength to the Duke of *Bavaria*; hereupon his Grace gave immediate orders for his Forces to March, and for their greater Expedition, advanc'd himſelf with the Horſe, leaving the Infantry and Artillery to Follow him; and by the way, leaving his Troops on full March, went to view the Fortifications of *Bonn*, where Advice came of Marſhal *Tallard*'s Reinforcing the Elector of *Bavaria* with Nine Thouſand Men. This only confirm'd his Grace the more, that the Enemy were wholly ignorant of his Deſign, by not leaving a greater Body of Troops behind them: Marſhal *Tallard* Marching back at the ſame time with the reſt of his Army.

And not only the *French* were at a Loſs, but by this time the Eyes of all *Europe* were fix'd on his Grace, who with unwearied diligence, advanc'd on the 25th of *May* to the Camp of *Newdorf* near *Coblentz*, where the Count of *Wratiſlaw*, late Envoy from the Emperor to her *Britanick* Majeſty, waited on the Duke, to ſettle all Things for his Grace's further March, and his Conjunction with the Imperial Army. The 26th, whilſt the Horſe and Dragoons

goons were paſſing over the *Rhine*, his Grace went to viſit the Elector of *Trieys* at his Caſtle of *Ebrenbreitſtein*, where he was ſaluted with a Triple Diſcharge of the Cannon round the Place, and having dined with the Elector, in the Afternoon march'd with his Forces to *Braubach*, a Town belonging to the Landgrave of *Heſſe d' Armſtadt*. The next Day that Prince gave a Viſit to the Duke, who that Night came to encamp at *Naſtetten*, and the 28th of *May* moved to *Schwalback*. In the mean time the Foot march'd the 27th from *Coblentz* to *Braubach*, and the next Day to *Naſtetten*, having Orders to follow the Horſe and Dragoons as cloſe as was conſiſtent with the March of the Artillery and Baggage.

During the Duke's Encampment at *Schwalbach*, Lieutenant General *Bulow*, Commander in chief of the *Lunenburgh* Forces, came to pay his Reſpects to his Grace, who the ſame Day receiv'd Letters from the Hereditary Prince of *Heſſe*, and General *Hompeſch*, acquainting him, that they were come to *Mayence*, expecting his Orders. The Duke had ſcarce read theſe Letters, when he receiv'd another Expreſs from the States General to aſſure him, that, according to his Deſire, they had given Orders for a Reinforcement of Eight Batallions, and one and Twenty Squadrons to be ſent after his Grace with all ſpeed, from their Army on the *Maeſe*; and that Monſieur *d' Auverquerque* had appointed Sixteen Squadrons of Horſe, Five of Dragoons, Seven Battallions of *Daniſh* Forces, and one of *Heſſe*, for that Service. The 29th of *May*, the Duke continued his March from *Schwalbach* to *Caſſel*, being a Village on the *Rhine*, over againſt *Mayence*; and immediately upon his Arrival went to make a Viſit to the Elector of that City, and found at the Landing Place on the other ſide of the River, ſeveral of the Elector's Coaches, which attended to carry his Grace and his Retinue to the Palace. In the mean time, he was ſaluted by a Diſcharge of the Cannon round the City. His Grace and his Retinue were magnificently entertain'd at Dinner by the Elector, after which a Conference

ference was held between the Generals, about the further Motions of the Confederate Armies in *Germany*. The next Day, the Duke allow'd his Troops ſome reſt; and, attended by the principal Officers of the Army, viſited the Fortifications of *Mayence*; was again ſaluted with a Diſcharge of the Cannon, and Dined with the Elector, who intended to come over the River, to return his Grace's Viſit, and view his Troops, but was prevented by bad Weather. On the laſt Day of *May*, the Foreign Miniſters, who had attended the Duke from *Coblentz* to *Mayence*, having taken their Leaves of him, the neceſſary Orders were given for the Troops to paſs the *Main*, which being perform'd with all diligence, the Duke continuing his March towards the *Neckar*, encamp'd that Night at *Grootgerhout*, and advanc'd the firſt of *June* to *Quingenberg*. The next Day his Grace march'd to *Weinheim*, and the following to *Ladenbourg*, where the Duke thought fit to halt two whole Days, as well to give his wearied Troops ſome Refreſhment, as not to leave too far behind the reſt of the Auxiliary Forces, that were to ſerve under him.

The Duke's bending his March towards the *Danube*, was a great Surprize to the *French*, who after their firſt Diſappointment in their Conjectures, that his Grace might act on the *Moſelle*, had entertain'd a Jealouſie, that he would advance to the *Upper Rhine*, and might have a deſign upon *Landau*, both from his Grace's March to *Mayence*, and from the Governor of *Philipsburgh*'s making a Bridge over the *Rhine*. Upon this ſuſpicion, Mareſhal *Tallard* repaſs'd the *Rhine* at *Altenheim*, in order either to join the Marſhal *de Villeroy*, or to oppoſe his Grace's Paſſage of that River: Of which his Grace was inform'd by an Expreſs from Count *de Vehlen*, General of the *Palatine* Horſe, who commanded the Forces in the Lines of *Stolhoffen*. On the 5th of *June*, the Count *de Frieſe* came to the Duke's Army, to acquaint his Grace from Prince *Lewis* of *Baden*, whom he had left with his Forces at *Ehingen* on this ſide the *Danube*, that the Elector of *Bavaria* was ſtrongly encamp'd

camp'd near *Ulm*, on the other ſide. There came likewiſe intelligence, that Prince *Eugene* of *Savoy* was arriv'd in the Imperial Camp; and that the Hereditary Prince of *Heſſe Caſſel* was marching with the Troops of *Heſſe* and *Lunenbourg* towards the *Danube*; whereupon Count *Wratiſlaw*, went from his Grace, to confer with Prince *Lewis* of *Baden*, upon occaſion of the Motions of the Enemy, on the other ſide the *Rhine*; and to manage an interview between his Grace, and Prince *Eugene*, which was equally deſired by both thoſe great Generals.

The Duke having given orders to his Foot and Artillery, which paſs'd the *Main* the 4th of *June*, to follow with the Reinforcement of Horſe and Foot, which was marching from the *Maeſe*, under the Duke of *Wirtemberg*, his Grace left *Ladenbourgh* the 6th of the ſame Month, and march'd to *Wiſlock*. The 7th he came to *Eppingen*, and the next Day continued his March to *Great Gardach*; during which, ſeveral of the Auxiliary Troops join'd his Grace, the reſt, particularly the Foot and Artilery which that day paſſed the *Necker* at *Heidelberg*, under the Conduct of General *Churchil*, receiving orders to meet his Grace, at the Randezvous at *Gielingen*. During the Encampment at *Great Gardach*, the Baron *de Stafterol*, Grand Marſhal to the Duke of *Wirtemberg*, came to Compliment his Grace, in the Name of the Duke his Maſter, and to aſſure him, that all poſſible Aſſiſtance ſhould be given to the Troops under his Grace's Command, in their march thro' his Maſter's Territories. On the 9th the Duke march'd with the Horſe from *Great Gardach* to *Mondelſheim*; where he halted the next Day, and in the Morning receiv'd advice by an Adjutant General, that Prince *Eugene* of *Savoy*, with Count *Wratiſlaw*, were on the Road to his Camp, intending to Dine with his Grace. About three in the Afternoon his Highneſs arriv'd at the Duke's Quarters at *Mondelſheim*, where he was receiv'd with all the Marks of Honour and Reſpect due to his Rank and Quality. The next Day his Highneſs march'd with the Duke to *Great Heppach*,

Heppach, where his Grace ordering his Army to be drawn up in Battalia before the Prince, his Highneſs expreſs'd his ſurprize to find them in ſo good a Condition, after ſo long and quick a March. In theſe words, ' My Lord, I never ſaw better Horſes, better ' Cloaths, finer Belts and Accoutrements; yet all ' theſe may be had for Money: But there is a Spirit ' in the looks of your Men, which I never yet ſaw ' in my Life. His Grace was extreamly well pleas'd with the Compliment, and return'd it thus, ' Sir, ' If it be as you ſay, that Spirit is inſpired to them ' by your Preſence. On the 12th Advice was brought from the Army under Prince *Lewis* of *Baden*, that three Regiments of Horſe march'd from thence the 8th, to the Lines of *Stolhoffen*; and that the 10th they were followed by Nine Thouſand Men of the *Pruſſian* Forces, in order to oppoſe the *French* on that ſide. The 13th in the Morning, the Duke was inform'd by Count *Wratiſlaw*, that Prince *Lewis* of *Baden* was coming Poſt to meet his Grace; whereupon the Duke ſent Colonel *Cadogan* with a Compliment to his Highneſs, whom he found at *Eſlingen*, with Prince *Lobcowitz*, his Nephew, and conducted them to *Great Heppath*. Amongſt other Expreſſions of Civility, that paſs'd between Prince *Lewis*, and his Grace, his Highneſs ſaid, ' That his ' Grace was come to ſave the Empire, and give ' him an Opportunity to Vindicate his Honour, ' which he was ſenſible was in ſome manner at the ' laſt Stake in the Opinion of ſome People. Mutual Compliments being over, a Conference was held between the Generals, wherein it was reſolv'd, That the Auxiliary Troops in the Neighbourhood ſhould join the Army on the *Danube* for ſome Days, and that Prince *Lewis*, and his Grace ſhould have each a Day of Command alternatively, while they continued together; while Prince *Eugene* ſhould repair towards *Philipsburgh*, to defend the Paſſage of the *Rhine*, the Lines of *Stolhoffen*, the Country of *Wirtemberg*, or act otherwiſe, according to the Motions of the *French*. The next Day early in the Morn-

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ing, the Horſe march'd from *Great Heppach*. In the Evening the Duke join'd the Troops under his Command in their Camp at *Eberſpach*. On the 16th, the Duke march'd with the Horſe from *Eberſpach* to *Groſſen Seinſen*. That Day the Duke had advice from *Ulm*, that the Elector of *Bavaria* march'd the 15th with a conſiderable Detachment; and a Deſerter, who came in the 18th reported, That ſome Regiments of his Forces were daily paſſing the *Danube*: Which was confirm'd by the Information the Grand Marſhal to the Duke of *Wirtemberg* receiv'd from *Ulm*, That the reſt of the Elector's Army had paſs'd the *Danube*, and that he had put his heavy Baggage into that City. On the 20th, his Grace had an account from the *Rhine*, that ſix Days before the Marſhals *de Villeroy*, and *Tallard* had a Conference at *Landau*, but had not undertaken any thing as yet, and that the Day this Expreſs was diſpatch'd, Prince *Eugene* was join'd by the *Pruſſian* Troops, which made up his Army on the *Rhine* near Thirty Thouſand Men. The 21ſt of *June* his Grace decamp'd with the Horſe from *Groſſen Seiffen*, and in his March was join'd by the Auxiliary Troops of *Lunenburgh*, *Hanover* and *Heſſe*. The Army encamp'd between *Launſheim* and *Urping*, and on the 22d made a Motion in order to join Prince *Lewis* of *Baden* at *Weſterſtetten*, at which place the Right of his Grace's Camp then lay. Prince *Eugene* of *Savoy* having deſired of the Duke a farther Reinforcement of Troops for the Security of the *Rhine*, and the Lines of *Stolhoffen*, his Grace thereupon ſent Orders to Lieutenant General *Scholten*, to march to the *Rhine* with the Seven Battalions of *Daniſh* Foot, which were coming from the *Maeſe*, and by this time were advanc'd as far as *Frankfort*, and to receive Orders from his Highneſs. On the other Hand, the Elector of *Bavaria* ſent a conſiderable Detachment to *Dillingen* and *Lawingen*, with intent, that upon the advance of the Confederate Army towards the *Danube*, his whole Forces ſhould poſſeſs themſelves of that Camp. The 23d,

Prince

Prince *Lewis*, and the Duke continued in the Camp near *Launſheim*, to form the Line of Battel. The next day the Army march'd from *Launſheim* and *Weſterſtetten*, where they halted three Days, and the 28th march'd again, and encamp'd with the Right at *Herbrecting*, and the Left at *Gingen*, on the River *Brentz*, within two Leagues of the Elector of *Bavaria*'s Army, which lay between *Dillingen* and *Lawingen* with the *Brentz* between the two Armies. The Twenty Ninth the *Engliſh* Foot and Artillery, who had been join'd in their March, by a Battalion of the King of *Pruſſia*'s Forces, arriv'd in the Camp, and took their Poſt in the Line, where an Interval had been left for them. The ſame day the Generals held a Council of War, wherein it was reſolved to draw near *Donawert*; whereupon, the laſt day of *June*, the Confederate Army march'd from *Gingen*, and *Herbrechting*, and encamp'd with their Right at *Lanthautſen*, and their Left at *Belmerſhoffen*. The firſt of *July*, they continued their March, in ſight of the Elector of *Bavaria*'s Army at *Dillingen*. The Elector of *Bavaria* judging rightly from this March, that the Prince and Duke intended to attack *Donawert*, ſent a conſiderable Detachment of his beſt Troops to Reinforce Count *d'Arco*, who was poſted at *Schellenbergh*, a riſing Ground near that Place, where he had already caſt up great Intrenchments, and employ'd ſome Thouſands of Pioneers for ſeveral Days, to perfect thoſe Works which cover *Donawert*. But notwithſtanding that great Advantage, the Duke reſolv'd to drive the Enemy from that important Poſt. Accordingly the neceſſary Orders were given to the Army, and the next day his Grace advanc'd at three in the Morning, with a Detachment of Six Thouſand Foot, and Thirty Squadrons of *Engliſh* and *Dutch* Cavalry, beſides three Batallions of Imperial Grenadiers; the reſt of the Army, under Prince *Lewis*, following with all poſſible diligence: But the way being very bad and long, the Detachment led by his Grace, cou'd not come to the River *Wernitz*, (or *Wernitz*)

which runs by *Donawert*, till about Noon, and it was three a Clock before they could get over that River with the Artillery. The Duke having paſſed the ſame at the Head of the Cavalry, view'd the Intrenchments, and made the neceſſary diſpoſitions for the Attack: In the mean time the *Engliſh* and *Dutch* Artillery began to Thunder againſt the Enemy; who anſwer'd it briskly from their Batteries, and made it judg'd by their diſpoſitions, that the Action would be very hot. Theſe Preparations being over, the *Engliſh* and *Dutch*, Commanded by Lieutenant General *Goor*, and Brigadier *Ferguſon*, began the Attack with unparallel'd Valour and Intrepidity before the Imperialiſts came up, and met with ſuch a Vigorous Defence, that they were twice repuls'd; But after an Engagement of near an hour and half, the Imperialiſts being by that time come up, the Intrenchments were forc'd, and our Men made a terrible Slaughter of the Enemy, purſuing them to the very *Danube*, where a great part of them follow'd the Example of Count *d' Arco*, and other General Officers, who ſav'd themſelves by Swimming over that River. We took Fifteen Pieces of the Enemy's Cannon, with all their Ammunition, Tents and Baggage, and Thirteen Colours, beſides Count *d' Arco*'s Plate, with other Rich Booty, which was diſtributed among the Victorious Soldiers. All the Confederate Troops that engag'd, behav'd themſelves with a great deal of Bravery and Reſolution, and the Horſe and Dragoons ſhar'd the Glory of the Day with the Infantry: But the Attack being begun by a Batallion of *Engliſh* Guards, and the Regiment of *Orkney* and *Ingoldsby*, they ſuffer'd more than any others. The Forces of the Enemy conſiſted of two Batallions of the Elector's Life-guard, one of Grenadiers, Thirteen other *Bavarian* Batallions, Five *French*, Four Regiments of Cuiraſſiers of Eight Hundred Men each, and three Squadrons of Dragoons, making in all about Eighteen Thouſand Men, all choice Troops, Commanded by Count *d' Arco*, Field Marſhal of the

the Elector of *Bavaria*'s Forces, Lieutenant General *Lutzemburgh*, and Count *Maffy*, Generals of Battalia; beſides two *French* Lieutenant Generals. The loſs of the Enemy was computed at Five Thouſand Men; nor was that of the Confederates much leſs; which, however, was abundantly made up by the gaining ſo Compleat a Victory, as gave them a free Entrance into the Duke of *Bavaria*'s Country, and forc'd that Elector to retire under the Cannon of *Augsburg*. The Elector was no ſooner inform'd of the defeat of his Troops at *Schellenburg*, than he quitted his advanvantageous Camp between *Dillengen* and *Lawengen*, and came to the other ſide of the *Danube*, over againſt *Donawert*, in his March to the River *Lech*, to prevent the Confederates cutting off his Retreat to his own Country. The ſame Night he ſent Orders to his Garriſon at *Donawert*, to ſet fire to the Town, to burn their Bridges and Magazines, and then to retire, for which end they had put Straw in every Houſe; but the Confederates being advanced into the Suburbs, and laying their Bridge to paſs into the Town, the Garriſon durſt not ſtay, for fear of having their Retreat cut off, and preferr'd their own Safety, before the Execution of their Orders; whereby the Townſmen ſaved their Houſes. The Enemy burnt only their Bridges, and ſome Magazines, and retired in great haſt early the next Day; and at the ſame time the Confederates enter'd the Town, without any oppoſition, aud found in it Two Thouſand Sacks of Meal, and great ſtore of Oats, and all ſorts of Proviſion and Ammunition, which the Enemy had not time to deſtroy.

The 5th of *July* the whole Confederate Army paſſed the *Danube* over ſeveral Bridges of Pontons, made for that purpoſe near *Donawert*, and encamp'd at *Mertingen*, in the Elector of *Bavaria*'s Country; whoſe Army was retreated to the other ſide the *Lech*, and Entrench'd themſelves under the Cannon of *Augsburg*. The 6th was by his Grace's Orders obſerved as a Day of Thankſgiving for the late Succeſs, throughout his Army; and Prince

Lewis alſo directed *Te Deum* to be Sung on this Occaſion in his Camp, and in all the Towns adjoyning. The *Daniſh* Horſe, Commanded by the Duke of *Wirtemberg*, encamped the 5th on the *Schellenberg*, and having the 6th paſſed the *Danube*, march'd to the Ground appointed for 'em in the Camp, where Count *Palfi* arriv'd the ſame Day, with a Compliment from Prince *Eugene*, upon his Grace's Victory.

The Duke reſolving to improve this Advantage, and to preſs the Enemy, before they recover'd the great Conſternation they were under, order'd Count *de Frize*, with a Detachment of Four Thouſand Men, and Twelve Pieces of Cannon, to prepare the Bridges for the Army to paſs over the *Lech* near *Ginderkingen*, which were finiſh'd the ſame Evening, without any oppoſition from the Enemy. This Detachment thereupon immediately marched over, and took poſt in the Country of *Bavaria*, where they were Reinforc'd the 8th in the Afternoon by Six Thouſand more. The whole Army marched at the ſame time, and came and encamp'd with the Right at *Hamler*, and the Left at *Ginderkingen* near the River. Upon the firſt Notice of the Troops having begun to paſs the *Lech*, the Garriſon of *Nieuburgh* abandon'd that Place and retired to *Ingoldſtadt*: Whereupon a Detachment was ſent by his Grace, to take poſſeſſion of *Nieuburgh*; and Prince *Lewis* of *Baden* ordered General *Herberville*, who Commanded a Separate Body of between Three and Four Thouſand Men, on the other ſide of the *Danube*, to remain there for the ſecurity of a Place of ſo much Importance, for the drawing of Proviſions out of *Franconia*, for the ſubſiſtence of the Confederate Army while they continued in *Bavaria*. The Enemy having left a Garriſon at *Rain*, a ſmall Town, about half a League on the other ſide the *Lech*, the Confederate Generals reſolved to attack it; whereupon the Army decamp'd from *Ginderkingen*, paſſed the *Lech*, and came with the Right to *Stauda*, and the Left to *Burcheim*. The

Ten

Ten Thouſand Men that had paſſed the River two days before, were at the ſame time relieved by Nine Batallions, and Fifteen Squadrons that were to carry on the Siege of *Rain*, under the Command of the Count *de Frize*; to favour which Enterprize, the Army made a motion to the Right on the 12th of *July* N. S. The next day the Count *de Vehlen*, General of the *Palatine* Horſe, came to the Confederate Camp, with Advice from Prince *Eugene*, that the Marſhals *Villeroy* and *Tallard*, with an Army of 45000 Men, had paſſed the *Rhine* above Fort *Kiel*, giving out they intended to Succour the Elector of *Bavaria*, which was not doubted but one of them, at leaſt, would attempt; and, therefore his Highneſs deſired a reinforcement of Horſe, that he might the better be able to obſerve the Enemies Motions. Thereupon Prince *Maximilian* of *Hanover* was detach'd with Thirty Squadrons of Imperial Horſe, with orders to joyn Prince *Eugene* with all poſſible diligence; and his Grace ſent likewiſe an Expreſs to acquaint the latter, that if he thought neceſſary, a further number would follow. The ſame night the Trenches were opened before *Rain*, and our Approaches were carried on with ſo good Succeſs, that by the 16th in the Morning the Garriſon deſired to Capitulate, and the Articles being agreed upon, they marched out the next Day, to the number of about Four Hundred Foot, Commanded by the Count *de Mercy* Brigadier General, and were conducted by a Party of Horſe to the Elector of *Bavaria*'s Camp near *Augsburg*. A Detachment of Four Hundred of our Men, took poſſeſſion of the Place at the ſame time, and we found there Twenty Four Braſs Cannon, and ſome Ammunition, beſides a conſiderable quantity of Corn, with other Proviſions, which were ordered to be applied to the uſe of our Troops.

His Grace and Prince *Lewis* finding that the Elector of *Bavaria* was ſtill inflexible, and that it was not poſſible to attack him in his Fortified Camp, under the Cannon of *Augsburg*, without infinite Diſadvantage; and conſidering, beſides, that Marſhal *de*

Tallard was advancing with a conſiderable Body of Forces, they reſolved to attempt the reducing of the ſtrong Places in *Bavaria*, and to begin with *Ingoldſtadt*. Prince *Lewis* undertook to Command, and carry on the Siege with the Imperial Troops, and his Grace to cover it with the Auxiliary Forces, which, in caſe of need, might be joyn'd by thoſe under Prince *Eugene*, who by this time was advanced to *Dillingen*. Thereupon the Confederate Army marched back on the 4th of *Auguſt*, N. S. from their Camp at *Friedberg* towards *Aicha*, burning all the Villages they had ſpared before between thoſe two Towns, and having paſſed the *Paer*, came and encamped at *Kieback*. The next day the Army paſſed again the River *Paer*, near the Town of *Schrobbenhauſe*. The ſame day Prince *Lewis* of *Baden* went to *Nieuberg*, to view the Artillery, and other Preparations for the Siege of *Ingoldſtadt*.

On the other Hand the Marſhal *de Tallard* with about 22000 Horſe and Foot, being come to *Biberach*, on the 4th of *Auguſt* in the Morning, he left his Troops and went to the Elector's Camp. His Electoral Highneſs, after having left Monſieur *de Chamarrante* in *Augsburg*, with Eight Batallions and Four Squadrons of *French* Troops, marched with the reſt of his Forces, to join the new Auxiliaries of that Nation at *Biberach*, as with intent to paſs the *Lech* at that Place, in order to attack the Confederate Army. But this Feint was only to cover his true deſign, which was to paſs the *Danube* at *Lawengen*, and to fall on the Army which Prince *Eugene* had brought from the Lines of *Biehl*, and which was then Encamped at *Hochſtet*, before his Highneſs could be reinforced.

The 6th of *Auguſt*, Prince *Eugene* having left his Troops at *Hochſtet*, went to the Main Army to confer with the Prince of *Baden*, and his Grace; and taking notice, in the way, of a Tract of Ground very proper for a Camp, being a Height that reach'd from the Villages of *Munſter* and *Erlinghoven*, to the Wood near *Appershoven*, with a Rivulet before it, he

he thereupon ſent Orders to his Army, to come and poſſeſs themſelves of that advantageous Poſt; which was put in Execution that very Night. The ſame day his Grace having received Intelligence, that the Elector of *Bavaria* was come out of his Intrenchments, and was encamp'd by *Tirhaupten*, on the other ſide of the *Lech*, between *Biberach* and *Clooſter-holts*, it was reſolv'd to obſerve him, and to advance towards *Donawert*. On the 7th, Eight Hundred Imperial Horſe were detach'd under Count *Merci*, Major General, to ſtreighten the Town of *Ingoldſtadt* on one ſide, whilſt Brigadier *Baldwin*, who from the 14th of *July* had been commanded out towards *Rain* with Five Hundred Horſe, receiv'd Orders to Inveſt the ſame Place, on another ſide. The ſame day Prince *Lewis* return'd to the Camp, where he held a Council of War with Prince *Eugene*, and my Lord Duke; in which it was agreed to continue in their late Reſolution of Prince *Lewis*'s Beſieging *Ingoldſtadt*, whilſt the other Two ſhould obſerve the Elector of *Bavaria*. The 8th the Army under his Grace march'd from *Hogeweart* to *Zanditzill*; and that of the Emperor, under Prince *Lewis*, on the other ſide the little Town of *Potmes* or *Beemen*, which was already redus'd in Aſhes. The 9th the Duke advanc'd within two Hours march of *Rain*, and poſted his Left Wing at *Enheim*, and his Right at *Tillengen*, and here Prince *Lewis* went another way, and bent his march directly to *Nieuburg*, to repair from thence before *Ingoldſtadt*. He took with him Two and Twenty Batallians of Foot, the Regiments of Horſe of *Cronsfield*, and *Hohenz Sollern*, the Cuiraſſiers of *Merci*, and the Dragoons of *Caſtelli*, leaving in his Grace's Army, under the Command of the Duke Regent of *Wirtemberg*, General of the Horſe, the Cuiraſſiers of *Zanthen* and *Cuſani*, the Dragoons of *Styrum* and *Auffsatz*, being Troops of *Franconia*, two Squadrons of Horſe Grenadiers of *Wirtemberg*, and three other, in all Twenty Eight Squadrons. The ſame day (*Aug.* 9.) his Grace was inform'd, that the Enemy march'd from *Biberach* to *Lawingen*, in order

der to paſs the *Danube* there. Prince *Eugene*, who had taken his leave of my Lord Duke, in order to return to his Army, came back not many Hours after to tell his Grace, that he had receiv'd the ſame Advice; whereupon having conſulted together near Two Hours, the Prince went back again, and rejoin'd his Army the 10th at break of day. His Grace, at Two of the Clock in the Morning, order'd the Duke Regent of *Wirtemberg* to go before with the Twenty Eight Squadrons under his Command, cauſing him to be follow'd, a few hours after, by Twenty Batallions under the Command of General *Churchil*, and directing them both to uſe all imaginable Diligence to join Prince *Eugene*, with Promiſe that he would ſoon be with them, with the reſt of the Army. Accordingly, his Grace continued his March, on the 10th towards *Rain*, and encamp'd with his Right at *Middleſtat*, and his Left at *Pluckingen*, having the Town of *Rain* in their Front, and the Quarter General at *Nederſchonevelt*, where Bridges had already been laid croſs the *Danube*. The ſame day the Prince of *Wirtemberg*, with the Horſe and Dragoons, and after him General *Churchil*, with the Foot and Artillery, paſſed that River on the Bridge that was at *Marxen*.

When Prince *Eugene* came the 10th, early in the Morning to his Army, he found them ready to march, to go and poſſeſs themſelves of the Intrenchments of *Schellenberg*, whither thoſe that Commanded in his abſence had already ſent Workmen, to put them again in a State of Defence; not judging it convenient to expect the Enemy, in the Camp of *Munſter*, with an Army that did not exceed 18000 Men. But the Prince caus'd the Tents to be immediately ſet up again, contenting himſelf with ſending the Baggage to *Donawert*, rightly conjecturing, that the Enemy, who paſs'd that day the *Danube* at *Lawingen*, could not come near his Army that ſame Evening, and that it would not be impoſſible for him to maintain the important Poſt of *Munſter*, till his Grace had joyn'd him. In the mean time, to be throughly

thoroughly informed of the Motions of the Enemy, he ſeat out Five Squadrons to *Hochſtet*, which being return'd, reported, that the Enemy after having paſs'd the *Danube*, had not retaken their ancient Camp between *Lawingen* and *Dillengen*, but that their Right extended as far as *Steinheim*, and that their Left was at *Lawingen*. Thereupon the Prince diſpatch'd an Expreſs to my Lord Duke to acquaint him with it, and to deſire him to haſten his March. And, becauſe it was moſt plain, that the Enemy, who were well inform'd of the weakneſs of the Prince's Army, were ſo far advanced that day, only with deſign to attack his Highneſs the next, the Prince caus'd all his Infantry, and part of his Cavalry, to March to the Camp of *Schellenbergh*, keeping only with him Twenty Two Squadrons of Dragoons of his own Army, with the Twenty Eight Squadrons which the Duke Regent of *Wirtemberg* had brought to him. He paſs'd the Night with theſe few Troops in the Camp of *Munſter*, keeping the Horſes ready Saddled, with Reſolution to preſerve that Poſt, if poſſible, though without coming to an Engagement, till he had been joyn'd by his Grace.

The 11th the Expreſs ſent to my Lord Duke came back, and inform'd the Prince, that his Grace was upon his March ever ſince two of the Clock in the Morning, with deſign to joyn his Highneſs that very Evening at the Camp of *Munſter*. He added, that the Twenty Batallions under General *Churchil* were very near; whereupon the Prince, (who on the other Hand was inform'd by his Parties, that the Enemy made no motion that Day) caus'd all the Troops, which the Day before he had ſent to *Schellenberg*, to return to the Camp of *Munſter*. General *Churchill* came there betimes with his Twenty Batallions, and in the Evening my Lord Duke arriv'd with his whole Army, the firſt Line of which had paſs'd the *Lech* near *Rain*, the *Danube*, at *Donawert*, and the *Wernitz* near this Place; and the Second Line had paſſed the *Danube* at *Schonefeld*, and the *Wernitz* at *Opperſmorgen*. All the Troops being thus joyn'd,

joyn'd, encamp'd between the Villages of *Munſter* and *Erlinghoven*, and that of *Upperſhoven*.

The 12th at break of Day, our Generals went to view the Enemie's Army, taking with them all the *Piquet*, which conſiſted of Twenty Eight Squadrons. They would have caus'd the Army to advance as far as *Greinheim* and *Wolperſtette*, but that they perceiv'd Twenty Squadrons of the Enemy in the Plain of *Overklaw*; and from the Height which is by the Corner of the Wood near *Wolperſtette*, they ſaw, by means of Proſpective-glaſſes, that all the Enemies Army was in Motion, and their Horſe Marching forward. The Prince and my Lord Duke went up to the top of the Tower of *Thiffingen* (or *Daapſheim*) the better to view the Enemy, and took notice, that the advanc'd Squadrons of the Enemy ſtopt ſhort, after they had perceiv'd Ours. At one of the Clock in the Afternoon, we ſaw the Quarter Maſters of the Enemies Army, ſet up their Camp Standards, and mark the Camp from *Bleinheim* to *Lutzingen*. Our Generals being return'd to our Army, order'd the neceſſary Paſſages to be made; whereupon Pioneers were ſent near *Thiffingen*, to make Bridges of Communication on a Rivulet, which indeed was narrow, but had high Banks. The Men were hardly at their Work, when the advanced Guards of the Enemy came as far as between *Schweiningen* and *Thiffingen*; and their Huſſars obliging our Pioneers to retire as far as our Advanc'd Guard, which gave the Alarm to our Camp, his Grace return'd that way with all the *Piquet*, Seven Squadrons of Dragoons, which were encamped before the Quarter General, and five *Engliſh* Batallions of *Row*'s Brigade, with the Batallion of *Engliſh* Guards, which were follow'd by a Brigade of *Heſſe*, and a good part of our Army: But being come to the Rivulet, where the Pioneers had been repulſed, they found that the Enemy not only retired, but return'd full Gallop to their main Army. Our Advanc'd Guard was reinforc'd, and left under the Command of a Major General, and the two Brigades of Foot which were in the Village of *Thiffingen* were alſo left under the Command of a like

like Officer, who poſted his Men in the Hedges thereabouts.

At four in the Afternoon we plainly diſcover'd from the Tower of *Thiffingen*, the Enemies Camp, their Tents being ſet up; and ſaw, that they were poſſeſs'd of a very advantageous Poſt on a Hill; that their Right Flank was cover'd by the *Danube*, and the Village of *Bleinheim*, and their Left, by the Village of *Lutzingen*; and that they had before them a Rivulet, whoſe Banks were high, and the Bottom Marſhy; ſo that it was thought at firſt to be unpaſſable, as indeed it was afterwards found to be in ſeveral Places. In theſe Circumſtances 'twas thought a very hazardous Enterprize, to attack ſo numerous an Army, in ſo advantageous a Poſt, which we could not approach, but by Filing off, and by paſſing in view of the Enemy, a Marſhy Rivulet, which could not be done in good Order. But then there ſeem'd to be an indiſpenſible Neceſſity of Falling immediately upon the Enemy, before they had time to fortify themſelves in that Poſt. For, beſides that, our Army ſhould have wanted Forrage much ſooner, than *Ingoldſtadt* could have been taken; our Generals were well inform'd, that the Marſhal *de Villeroy* leaving Monſieur *de Coigny* in the Camp near *Offenburgh*, with a Body of Troops ſufficient to keep within the Lines of *Biehl*, the Forces we had there, was ready to make an Irruption into the Country of *Wirtemberg* with another Body, which might have acted in concert with the Elector of *Bavaria*, and have been Reinforced by Detachments from that Prince's Army, to fall afterwards on the Rear of the Lines of *Biehl*, ſo that thereby the *French* Armies would have eſtabliſhed a free Communication from the *Rhine* to the *Danube*, and have forc'd all to ſubmit as far as the *Mein*; whilſt the Elector from his Camp at *Hochſtedt*, might have ruin'd a great part of the Circle of *Franconia*, and have brought things to that paſs, that the Auxiliaries, under his Grace, ſhould not have been able to find either Subſiſtence or Winter Quarters on the *Danube*,

Danube, and in the *Upper Germany*; though on the other Hand, that great and ſeaſonable Supply, could not have left the Empire in the Winter, without expoſing it to the brink of Ruin, and leaving an entire Superiority to the Enemy. Theſe prevailing Reaſons made his Grace and Prince *Eugene* reſolve to Fight: Whereupon, that very Night all the neceſſary diſpoſitions were made for the Attack, and the Baggage ſent to *Rietlingen*, a Village between *Munſter* and *Donawert*.

Our Army had Fifty Two Pieces of Cannon, and conſiſted of Sixty Six Battalions, and a Hundred Seventy Eight Squadrons, which might amount to 50 or 52000 Men. That of the Enemy was near 60000 ſtrong, conſiſting in Eighty Two Batallions, and a Hundred Sixty Squadrons, with Ninety Pieces of Cannon, Eight of which were Twenty Four Pounders. Their Right Wing was Commanded by Marſhal *Tallard*, and made up of the Army he had brought to the Elector's Aſſiſtance, conſiſting in Sixty Squadrons, and Fourty Batallions of the beſt Troops of *France*. On the Left was the Elector with his *Bavarians*, and the Marſhal *de Marſin*, with the *French* Troops under his Command.

The 13th of *Auguſt*, a Memorable Day, on which the Fate of the Empire, or rather all *Europe*, was decided; about Three in the Morning, the Confederate Army began to paſs the Rivulet, called *Keſſel*, on ſeveral Bridges that had been prepared the Night before. They Filed off in Eight Columns, of which Two of Imperial Foot, marched quite to the Right of all towards the height along the Wood, having Two Columns of Imperial Cavalry to their Left. The Left Wing, which was compoſed of the Auxiliaries, marched alſo in Four Columns, to wit, two of Foot on the Left of the Imperial Horſe, and two of Horſe on the Left of all. Thus the whole Army advanced as far as the Rivulet near *Thiffingen*, where the Advanced Guards were ordered to return to their reſpective Bodies, and the two Brigades of *Heſſian* Infantry, which had been left in that Village,

lage, under the Command of Major General *Wilks*, with Fifteen Squadrons which his Grace commanded out, formed on the Left of all a ninth Column, and ſo we marched towards *Schwieningen*. As ſoon as the Nine Columns were arrived between that Village and the Wood, we made a Halt to obſerve the Enemy, whom we did not perceive to make any great Motion. About Six of the Clock in the Morning, his Grace, and Prince *Eugene*, who had poſted themſelves on a riſing Ground, call'd to them all the Generals, to give them the neceſſary directions, in order to attack the Enemy, and then the Army advanced into the Plain, and were drawn up in order of Battle. The Left Wing conſiſted in Fourty Eight Batallions and Eighty Six Squadrons; whereof Fourteen Batallions and Thirteen Squadrons were *Engliſh* Troops; Twenty Two Squadrons *Daniſh*; Fourteen Batallions and Nineteen Squadrons *Dutch*; Thirteen Batallions, and Twenty-five Squadrons of the Forces of *Lunenburg*; Seven Squadrons of the Troops of *Heſſe*, and ſome Troops of *Wirtemberg*. About ſeven of the Clock, before our Army was quite drawn up in Battalia, the Enemy, at the approach of our Vanguard, gave a Signal by firing two Pieces of Cannon, to call in their Forragers; ſet the Villages of *Onderklaw*, *Wolperſtette*, *Weiler*, *Berghauſen* and *Sweinenback* on Fire, and we ſaw all their Camp in Motion, their Generals with their Aids de Camp, Galloping to and fro, to put all things in order. On our ſide two Brigades of Foot Commanded by my Lord *Cutts*, Lieutenant General, the Major Generals St. *Paul* and *Wilks*, and the Brigadiers *Row* and *Ferguſon*, and ſupported by Fifteen Squadrons under the Command of Major General *Wood*, were order'd on our Left, to poſſeſs themſelves of the two Water Mills near *Bleinheim*; which the Enemy did immediately ſet on Fire.

In the mean time our Army advanced as far as the Moraſs, which being found marſhy, and unpaſſable for the Infantry, we quickly made five Bridges with the Planks of our Pontons; and repaired the

Bridge

Bridge on the high Road, which the Enemy had deſtroy'd. At the ſame time Prince *Eugene* caus'd the Right Wing to march along the Wood, to fall on the Flank of the Elector, who did extend his Left proportionably, to prevent Prince *Eugene* gaining his Flank, and in order to face him. The Enemy fearing alſo leſt we ſhould gain the Flank of their Right Wing, by poſſeſſing our ſelves of the Village of *Bleinheim*, ſent that way ſeveral Detachments of Foot, and placed in it Twenty Eight Batallions, and Twelve Squadrons of Dragoons; they poſted alſo ſome Infantry in the Villages of *Overklaw* and *Lutzingen*, which extreamly weakn'd their main Battalia, and *was one of the Principal Cauſes of their Defeat.*

To favour the Paſſage of the Left Wing, the two Brigades of Foot, commanded by the Lord *Cutts*, were order'd to go over the Rivulet firſt; which done, they poſted themſelves in a bottom, near the Village of *Bleinheim*; and for ſeveral Hours with wonderful Reſolution, ſtood the Fire of Six Pieces of Cannon planted on the Height near that Village. At the ſame time, the Enemy fired very briskly on the Bridges that were laid for the Paſſage of our Infantry; but we quickly anſwer'd their Batteries by two of ours, the one *Engliſh*, the other *Dutch:* Which Gannonading did conſiderable Execution on both ſides. About twelve of the Clock at Noon all things were ready on our left Wing for the Attack; and becauſe it was found, that in ſeveral Places the Horſe would want Faſcines to paſs the Moraſs, Orders were given that the Horſe of our Second Line ſhould provide themſelves, each Squadron with Twenty Faſcines. By this Time a good part of the Infantry of our main Battalia poſted themſelves in and about the Village of *Onderklaw*, and the Prince of *Holſtein Beck* poſſeſs'd himſelf of that of *Weiler* or *Sconback*, and caus'd a Counter-Battery to be erected there.

All theſe Preparations being made, his Grace gave Orders for a general Attack, which was begun on the Left, at three Quarters paſt Twelve. Major General

General *Wilks* made the firſt Onſet, with the five *Engliſh* Batallions of *How*, *Ingoldsby*, *Marlborough*, *Row*, and *North* and *Grey*, and Four Batallions of *Heſſians*; ſupported by the Lord *Cutts*, and Major General St. *Paul*, with Eleven other Batallions; and the Fifteen Squadrons of Horſe, under the Command of Major General *Wood*. The five *Engliſh* Batallions led on by Brigadier *Row*, who charg'd on Foot at the head of his own Regiment, with unparallel'd intrepidity, aſſaulted the Village of *Bleinheim*, advancing to the very Muzzles of the Enemies Muskets; and ſome of the Officers exchanging Thruſts of Swords, with the *French* through the *Paliſſadoes*. But being expos'd to a Fire much Superior to theirs, they were ſoon forc'd to retire, leaving behind them near one third part of their Men, either kill'd, or mortally wounded, and amongſt the latter, Brigadier *Row* himſelf. In this Retreat they were purſued by Thirteen Squadrons of the *French* Gendarmerie and Carabiniers, who would have entirely cut them in Pieces, had not the *Heſſian* Infantry ſtopt the Carier of the Enemy, by the great Fire they made upon them. The *French* being repuls'd, and forc'd to fly in their turn, were chaced by five Squadrons of *Engliſh* Horſe, who by this time had paſs'd the Rivulet; but whilſt they rallied themſelves, ſome freſh Brigades of the Enemy, Superior in number, charg'd our Horſe with great Vigour, and obliged many of them to repaſs the Rivulet with Precipitation. Here again the *Heſſian* Foot perform'd notable Service; putting the Enemy to the Rout by their continual Fire, and regaining the Colours which they had taken from *Row*'s Regiment. Whilſt *Row*'s Brigade Rallied themſelves, that of *Ferguſon*, Commanded by himſelf, attack'd the Village of *Bleinheim* on the Left, but with no better Succeſs; and though both return'd three or four times to the Charge with equal Vigour, yet they were both ſtill repuls'd with like Diſadvantage; ſo that it was found impoſſible to

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force the Enemy in that Poſt, without Sacrificing entirely our Infantry.

The *Engliſh* Foot having thus began the Engagement on the Left, the Horſe of that ſame Wing paſs'd the Rivulet Pell Mell over againſt the Center, or Main Batallia, of the Enemy. The Horſe of our Right Wing did alſo paſs the Rivulet, having made ſeveral Paſſages with divers pieces of Wood, which they found at hand. In a word, all paſs'd and drew up in order of Battle, as well as the Ground would permit, on the other ſide of the Rivulet. The Enemy gave us all the time we wanted for that purpoſe, keeping themſelves very quiet on the Hill they were poſſeſs'd of, without deſcending into the Meadow towards the Rivulet, inſomuch, that even the ſecond Line of our Horſe had time to form themſelves: *And to this Capital Fault of the* French *we ought principally to aſcribe our Victory.* The Cavalry of our Left going towards the Hill, that of the Enemy began to move at laſt, and Charg'd our Men with a great deal of Fury. The *French* Infantry, which was in the Village of *Bleinheim*, made, at the ſame time, from behind ſome Hedges of that Village, a terrible Fire on the Flank of our Cavalry, which were advanc'd too near that Village; ſo that the firſt Line of Horſe of our Left from the head of the Line, to the Three Regiments of the Troops of *Hanover*, to wit, the Electoral Regiment, that of *Voigt*, and that of *Noyelles*, was put into ſuch Diſorder, that part of them retired even beyond the Rivulet. Hereupon Lietenant General *Bulow*, Commander in Chief of the Troops of *Lunenburgh*, brought up from the ſecond Line his own Regiment of Dragoons, and two of the Troops of *Cell*, to wit, that of Major General *Villers*, and that of Brigadier *Bothmer*, which charged the Enemies Horſe with ſo much Vigour, that they broke them, and drove them beyond the ſecond Rivulet call'd *Meulweyer*, and from thence to the very Hedges of the Village of *Bleinheim*. This gave time to thoſe of our Men that had given Ground to repaſs the Rivulet, and to form

form a ſecond Line behind thoſe Regiments of Dragoons, and ſome others that had join'd them; ſo that thoſe Dragoons remain'd in the firſt Line, all the remaining time of the Action. The Cavalry of our Left having by this Succeſs, gain'd the Advantage of forming themſelves entirely in order of Battle, advanc'd leiſurely to the Top of the Hill, and Charg'd ſeveral times the Enemies Horſe, who were always routed, but who, nevertheleſs, rallied every time, though at a conſiderable diſtance, which gave us Opportunity to gain Ground. As we were preparing for a freſh Attack, Marſhal *de Tallard* cauſed Ten of his Batallions to advance, to fill the Intervals of his Cavalry, in order to make a laſt Effort; which the Prince of *Heſſe Caſſel*, General of the Horſe, and the Lieutenant Generals *Lumley*, *Bulow*, *Hompeſch* and *Ingoldsby*, perceiving, they cauſed three Batallions of the Troops of *Cell* to come up to ſuſtain our Horſe. Then we return'd to the Charge, but the Superior Fire of the Enemies Infantry, put our firſt Line into ſome diſorder, ſo that it ſhrunk back, and remain'd for ſome time, at about Sixty Paces diſtance from the Enemy, neither Party advancing againſt the other. At laſt our Men renew'd the Charge, and did it with ſo much Vigour and Succeſs, that having broke and routed the Enemies Horſe, the Ten Batallions, who found themſelves abandon'd by them, were entirely cut in Pieces; none eſcaping but a very few Soldiers, who threw themſelves on the Ground as dead to ſave their Lives. Marſhal *de Tallard* Rallied his broken Cavalry behind ſome Tents, that were ſtill ſtanding in his Camp, and ſeeing things in this deſperate Condition, he reſolv'd to draw off his Dragoons and Infantry out of the Village of *Bleinheim*. Thereupon, 'He ſent one of his Aids de Camp to Marſhal *de* '*Marſin*, to deſire him to Face the Enemy with 'ſome Troops on the Right of the Village of *O*-'*verklaw*, to keep them in Play, and favour the 'Retreat of the Infantry that was in *Bleinheim*. 'But *Marſin* repreſented to *Tallard*'s Meſſenger,

'that he had too much Buſineſs in the Front of his 'Village; (where he had to deal with the D. of *Marl-* 'borough in Perſon) and the reſt of the Line, to ſpare 'any Troops, he not being Victorious, but only main- 'taining his Ground. In the mean time, Lieutenant General *Ingoldsby* made the Prince of *Heſſe*, and the Lieutenant Generals *Lumley* and *Hompeſch* ſenſible, how eaſily it would be intirely to defeat the *French* Cavalry by Charging them on their Right Flank: Which advice being put in Execution with a great deal of Vigour, the Enemy were preſently diſordered, and put to flight, and their Rout was entire. Part of them endeavour'd to gain the Bridge they had on the *Danube*, between *Bleinheim* and *Hochſtet*; the other part among whom were the *Gens d' Arms*, were cloſely purſued by the Dragoons of *Bothmar*, and thoſe who eſcap'd being kill'd, threw themſelves into the *Danube*, where moſt of them were drowned. Thoſe who fled towards *Hochſtet*, Rallied once more, making a ſhow to ſuccour the Reſt; but the Regiment of *Bothmar* faced them, and kept them in awe for ſome time, and being at length join'd by ſome other Regiments, the Enemy fled full Gallop towards *Hochſtet*. The Marſhal *de Tallard* was invelop'd with the Runaways, and taken near a Mill, behind the Village of *Sonderen*, not far from the *Danube*, by Monſieur *de Boinenbourg*, a Lieutenant Colonel of the Troops of *Heſſe*, and Aid de Camp to the Prince of *Heſſe Caſſel*. The Marquis *de Montperous*, General of Horſe, *de Seppeville de Silly*, and *de la Valiere*, Major Generals; Monſieur *de la Moſſiliere*, St. *Pollange*, *de Ligondais*, and ſeveral other Officers of Note, were alſo made Priſoners in this Rout.

While theſe things paſs'd at the Village of *Bleinheim*, and in the Center, his Grace cauſed the Village of *Overklaw*, Marſhal *de Marſin*'s Quarters, to be attack'd by the Brigade of *Berensdorf*, conſiſting of Ten Batallions. The Prince of *Holſtein Beck*, who Commanded them as Major General, paſs'd the Rivulet at the Head of two Batallions, with a great

great deal of Reſolution; but as the Imperial Cavalry, which was to have ſupported him, was above two Musket-ſhot from him, he was hardly gone over, when ſeven or eight of the Enemies Batallions fell on him with great Fury, before he could form his two Regiments; ſo that that of *Goor* was almoſt intirely cut in Pieces, and the Prince himſelf deſperately Wounded, and taken Priſoner. Our Men being ſuſtain'd by ſome *Daniſh* and *Hanoverian* Cavalry, charg'd a ſecond time, which had no better Succeſs; but the third time his Grace having himſelf brought up ſome Squadrons, which were ſupported by others of the Body of Reſerve, made them advance with ſome Batallions beyond the Rivulet; whereupon the Enemy began to retire.

As ſoon as the Duke had perform'd this conſiderable Service, his Grace repair'd to the Center, where finding the Action decided in our Favour, he caus'd part of his Victorious Cavalry to halt, to obſerve the Motion of that part of the Enemy, which by this time was drawn up beyond the Moraſs of *Hochſtet*. During this Halt, the Elector of *Bavaria* was perceiv'd making his Retreat from the Village of *Lutzingen*; upon which, Orders were diſpatch'd to General *Hompeſch*, who with ſeveral Squadrons was purſuing the Enemy towards *Morſelingen*, and who had already overtaken two of their Batallions, and forc'd them to lay down their Arms: Orders, I ſay, were ſent to him to face about, and march to join thoſe that halted; as well to prevent the Elector's falling upon *Hompeſch*'s Rear, as to form a Body in order to charge that Prince, who march'd in great haſte, but in pretty good order with his Squadrons on the Left, and his Batallions on the Right. Before General *Hompeſch* return'd from the Chace, the Right Wing of our Army was perceiv'd at ſome diſtance behind the Elector; and appearing to be a part of his Army, Marching in ſuch a manner as might eaſily have flank'd us, had the Duke of *Marlborough* immediately charged him, his Grace, with great Prudence, ſent out a Party to view them.

During this time, the Elector continued Marching off with great Precipitation, till he reach'd the Moraſs of *Morſelingen*. The *French* Horſe being entirely defeated, and our Troops Maſters of all the Ground, which was between the Enemies Left, and the Village of *Bleinheim*, the Twenty Eight Batallions, and Twelve Squadrons of Dragoons which were in that Village, found themſelves cut off from the reſt of their Army; and deſpairing of being able to make their Eſcape, after a weak Attempt to repulſe our whole Infantry that ſurrounded the Village, they Capitulated at laſt about Eight of the Clock; laid down their Arms; deliver'd their Colours and Standards; and ſurrendred themſelves Priſoners of War, on Condition that the Officers ſhould not be ſearch'd. By this it appears how few Men eſcaped of the Fourty Batallions which the Marſhal *de Tallard* had brought to the Elector *Bavaria*, and which were all old Troops, and the very Choice of the *French* Infantry, ſince Twenty Eight of them were made Priſoners, and Ten entirely cut in pieces.

It is now time to ſee how things paſs'd on our Right, under the Command of Prince *Eugene*, who had to deal with the Elector of *Bavaria*, and the Marſhal *de Marſin*. The Infantry of that Wing conſiſted only in ſeven Batallions *Daniſh*, and eleven *Pruſſian*, and the Cavalry in Ninety Two Squadrons of the Troops of the Emperor, the King of *Pruſſia*, the Circle of *Suabia* and *Wirtemberg*, and other Princes and States of the Empire. The Enemy had in their Left Wing Thirty Batallions, and a great many Squadrons of Horſe: And they had poſted 14 Batallions in the Village of *Overklaw*, which Village his Grace had taken upon him to cauſe to be attack'd by his Infantry. The Horſe of the Right Wing were moſt of them poſted over againſt *Overklaw*: But the 18 Batallions, who were to the Right of all, had a great way to March, before they could get up the Hill; and beſides, the Paſſage of the Rivulet being very difficult, the Attack could not begin on that ſide, as ſoon as Prince *Eugene* could have wiſh'd; and

and beſides, the Troops of our Right, which poſted themſelves in a Bottom, not far from *Lutzingen*, were oblig'd to remain expos'd, during three Hours, to the Cannonading of the Enemy, without being able to make uſe of their Artillery; till at length a Counter Battery was rais'd near the Wood. Though our Right could not charge, till half an Hour after our Left had begun the Attack, yet they were pretty ſucceſsful at firſt: For our Infantry, though much Inferiour in Number to that of the Enemies, maintain'd themſelves againſt them with great Firmneſs and Reſolution, and our Cavalry broke that of the Enemies firſt Line. But they were ſo vigorouſly repuls'd by their ſecond Line, that part of 'em were driven, in great Confuſion, beyond the Rivulet; and our Infantry having no more Horſe to ſuſtain them, was oblig'd, notwithſtanding the great Reſiſtance they made, to Retreat three or four Hundred Paces towards the Wood, with conſiderable Loſs, eſpecially the Two Batallions which were in the Flanks: Inſomuch that things were at that time, in a very ill Condition on that ſide. The Infantry ſtood firm near the Wood, and Prince *Eugene* having Rallied the Horſe, brought them up again to the Charge, but they were repuls'd a ſecond time. They were Rallied once more, and for near three Quarters of an Hour we ſtood within about Sixty Paces of the Enemy, neither of the two Parties making any motion. We made uſe of that time to poſt the Troops advantageouſly, and to put them in order, after which we Charg'd the third time. Our Cavalry had at firſt ſome advantage over that of the Enemy, but were afterwards repuls'd by them, whereas our Infantry broke, and overthrew that with which they had to deal; though they could not March up to the Enemy, but through a moſt difficult Ground, where a ſmall Number of Troops was ſufficient to ſtop a great Number. Hereupon Prince *Eugene* left his Cavalry, ſeeing little likelihood of being

ing able to Rally them again, and came and put himſelf at the Head of the Infantry, who improving the Diſorder into which they had put that of the Enemies, purſued them over Hills, Dales, Rocks and Woods, and having Charg'd them again, did entirely Rout them, and continued the Chace for above an Hours March, as far as the Village of *Lutzingen*. Here Prince *Eugene* caus'd his Victorious Foot to make a Stand, to give time to his Cavalry, which had Rallied a great way behind, to rejoin the Infantry. It is very remarkable, that at this laſt Charge, when our Infantry defeated, with ſo much Vigour, that of the Enemy, there remain'd by them but two of our Squadrons; notwithſtanding which, they purſued their Advantage, and gave not the Enemy time to recover themſelves. The *French* Horſe, Daunted by our Succeſs, retir'd leiſurely: Ours follow'd them with the ſame Pace, till having join'd our Foot, the whole Wing continued the Chace during an Hour, as far as the Villages of *Morſellingen* and *Theiſſenhoven*, where the Enemy made a ſhow to ſtand their Ground, that they might have time to paſs a great Moraſs, and reach *Dillingen* and *Lawingen*. As ſoon as the Action was decided on our Left Wing, his Grace diſpos'd himſelf to March with part of that Wing, towards the Village of *Overklaw*, to Charge the Left of the Enemy on their Flank, and to ſuccour our Right; but he was inform'd by the way, by one of Prince *Eugene*'s Aids de Camp, that there was no more need of it; That all was recover'd on his Highneſs's ſide, and that the Enemy had abandon'd the Villages of *Overklaw* and *Lutzingen*, after having ſet them on Fire.

The Enemies Loſs, according to their Confeſſion in ſeveral intercepted Letters, amounted to near 40000 Men, in which Number they include 4 or 5000 they loſt in their precipitate Retreat to the *Black Forreſt*, either by Deſertion, or by the Purſuit of

of the *Huſſars* and Peaſants, who made a great Slaughter of the Straglers. And indeed, if it be conſider'd, that after an exact Computation, the number of the Priſoners we made, exceeded 13000 Men, of which above 1200 were Officers; that we Cut in pieces 10 *French* Batallions on their Right, and overthrew into the *Danube* near 30 Squadrons of Horſe and Dragoons, many of whom were drown'd; that their Left Wing did alſo ſuffer very much, eſpecially the Foot: That beſides 95 Officers that were found at *Hochſtet*, *Dillingen* and *Lawingen*, the Number of the Wounded whom they brought off from *Ulm*, exceeded 7000 Men; if all this, I ſay, be conſider'd, it muſt be own'd, that thoſe Letters ſpoke within Compaſs. Tho' the *French* have been induſtrious enough in concealing their particular Loſſes, yet it is known, that the Count *de Verue*, General of the Horſe, was kill'd, Monſieur *de Buſen*, and the Count *de Clerambaut*, Lieutenat Generals, drown'd in the *Danube*; that Meſſieur *de Blanville* and *Surlaube*, Lieutenant Generals, died of their Wounds; that Monſieur *de Marillac*, Brigadier, only Son to the Counſellor of State of that Name, the Duke *de Humieres*, Brother to the Duke of *Aumont*, the Marquiſſes *de Arpajou*, *de Hautefort*, and *de Beringhen*, were either kill'd or drown'd; and that the Marquiſs *de la Baulme*, only Son to the Marſhal *de Tallard*, was Mortally Wounded, and died a few days after the Action. The Priſoners of note, beſides the Marſhal *de Tallard*, were the Marquiſs *de Monperous*, *Meſtre de Camp*, General of the Horſe; the Marquiſs *de Hautefeuille*, *Meſtre de Camp*, General of the Dragoons; the Marquiſs *de Marivaux*, and the Count *de Blanzac*, Lieutenant Generals; the Marquis *de Valſeme*, the Marquis *de Seppeville*, the Marquis *de Silly*, the Marquis *de la Valiere*, the Chevaliar *de Croiſſy*, *Mareſchals de Camp*, or Major Generals; Monſieur *de la Meſſiliere*, Brigadier General of the *Gens d' Arms*; Monſieur *de St. Second*, Monſieur *Deſnonville*, Monſieur *d' Amigni*, Monſieur *de Signey*, Monſieur *d' Montford*, Brigadiers of Foot;

Marſhal

Monſieur *de Jolly*, Brigadire of Dragoons; the Marquis *de Saſſenage*, Aid de Camp, and Son-in-law to the Marſhal *de Tallard*; the Chevaliar *de Ligondais*, the Marquis *de St. Pouange*, the Baron *de Heyder*, Colonels of Horſe; the Marquis *de Vaſſey*, the Marquis *d' Aurival*, Monſieur *de Prie*, Colonels of Dragoons; Monſieur *de Nonan*, Monſieur *de St. Maurice*, the Count *de Lioune*, the Marquis *de Laſſey*, the Baron *d'Elſt*, Monſieur *de Balincourt*, Monſieur *de Saulveboeuf*, Monſieur *de Montenay*, the Count *de Gallard*, Monſieur *de Creſſy*, the Count *de Tavannes*, the Count *de Schacq*, Colonels of Foot; the Prince *Maubecq* of *Lorrain*, Captain of Horſe; the Marquis *d' Auvet*, Captain of the *Gens d' Arms*; Monſieur *Joug*, Major in the Regiment of *Orleans*; the Chevalier *de Rocheplate*, Cornet of the *Gens d' Arms*; the Marquis *de Carman*, Under Lieutenant of the *Gens d' Arms*; Monſieur *d' Ovilars*, Enſign, and Monſiur *Juiſſac*, Guidon of the *Gens d' Arms*; and the Sieurs *du Breuil* and *la Morcelaire*, Commiſſaries of Artillery. Beſides the Priſoners, the Confederates got many other Enſigns of a compleat Victory, as above a 100 pieces of Cannon, great and ſmall, 24 Mortars, 129 Colours, 171 Standards, 17 pair of Kettle Drums, 3600 Tents, 34 Coaches, 300 laden Mules, 2 Bridges of Boats, 15 Pontons, 24 Barrils, and 8 Casks of Silver. This Succeſs coſt the Allies 4485 Men kill'd, 7525 wounded, and 273 loſt, or made Priſoners. A great Number in it ſelf, but an inconſiderable Price for the infinite Advantage, which the Allies gained by their Victory. We loſt few Men of Note, except the Prince of *Holſtein Beck*, and Brigadier *Row*, who died of their Wounds after, and *Philip Dormer*, Lieutenant Colonel of the *Engliſh* Guards, Major *Frederick Cornwallis*, Lieutenant Colone *Dalſyel*, Lieutenant Colonel *Fetherſtanhaugh*, Major *Creed*, Colonel *John White*, Lord *Forbes*, Captain, Major *Chenevix*, who were killed in the Fight. The principal Perſons among our Wounded, were the Lord *North and Grey*, who loſt his Right Hand; the Lord *Mordaunt*, who had his Lelf Arm ſhatter'd;

ſhatter'd; Colonel *Hamilton*, Lieutenant Colonel *Levingſton*, Lieutenant Colonel *Peyton*, Major *Grandville*, Major *George Morgan*, Lieutenant Colonel *Britton*, Major *Armſtrong*, and Major *Hetley*.

This Victory, tho' as great and compleat in it ſelf, as any was ever gain'd, was ſtill greater in its Conſequenſes. The Elector of *Bavaria* and Marſhal *de Marſin*, having gain'd the Remains of their Defeat, behind the Moraſs of *Hochſtet*, reſted there ſome hours, and that very Night caus'd their Baggage to paſs the *Danube*, and ſent their Horſe towards *Ulm* by *Gondelſingen*. The next Morning before break of Day, they drew off the Infantry, and paſſed the *Danube* at *Lawingen*, where they left 1000 Men, with orders to Retreat as ſoon as the Enemy ſhould approach, and to burn the Bridge, which was accordingly done. The Elector ſent orders at the ſame time, to his Troops in *Augsburg* and other Places, to quit them, and come to joyn him at *Ulm*, whither he marched with the greateſt Precipitation. His Grace and Prince *Eugene* would have follow'd him with equal ſpeed, but the great number of their Priſoners was a Luggage that retarded their Progreſs four or five Days.

The Night after the Battle, the Confederate Army drew up, and lay on their Arms, near the Moraſs of *Hochſtet*, their Left extending it ſelf towards the Village of *Sonderen*, and the Right towards *Morſelingen*. The next Day they made a ſmall Motion, and came with the Right to *Wittiſling*, and the Left to *Steinheim*, where the Duke thought fit to ſtay till the 19th of *Auguſt*, that his wearied Troops might refreſh themſelves, and thoſe that were ſlightly hurt recover their Wounds. In the mean, time his Grace and Prince *Eugene* wiſely conſidering, That the Face of Affairs in that Country was wholly chang'd, they imparted to Prince *Lewis* their Sentiments, that to amuſe themſelves at the Siege of *Ingoldſtadt*, would be but loſing Time; and that they believ'd it would be more advantagious for the Good of the Common Cauſe, to joyn all their Forces, to ſtreighten more

and

and more the Enemy, and oblige the *French* to quit *Germany*, and repaſs the *Rhine*; for then not only *Ingoldſtadt*, but alſo the whole Country of *Bavaria* muſt fall of themſelves. Nor was it long before the Duke's and Prince *Eugene*'s Opinion was confirm'd, by the Example of the City of *Augsburg*, which the *French*, in Garriſon there, quitted the 16th of *Auguſt*, carrying with them 4 Hoſtages, as a ſecurity for 2000 Sick and Wounded Men they left in that Place. The Magiſtrates being Aſſembled immediately after, ſent Four Deputies to wait on his Grace, and deſire his Protection. His Grace gave them a kind Reception, and told them, 'They had nothing to fear 'from the Troops of Her *Britannick* Majeſty, and 'the States General, who were only ſent againſt the 'Enemies of the Empire and their Allies; and 'thereupon his Grace ordered a Detachment to 'march, and take Poſſeſſion of that City. The next day the whole Confederate Army return'd their Solemn Thanks to Almighty God, the Giver of all Victory, and made a triple Diſcharge of all their Cannon and ſmall Arms, as a Rejoycing for their late Glorious Succeſs, which appeared the greater, in that by Marſhal *de Tallard*'s own Confeſſion, his Army was near 4000 Men more than that of the Duke's. On the 18th of *Auguſt*, that Marſhal, with moſt of the other Priſoners of diſtinction, were ſent from *Hochſtet*, towards *Hanau* and *Frankfort*, under a Guard of 40 *Engliſh* Horſe. At the ſame time the Repartition being made of all the reſt of the Priſoners, his Grace's ſhare amounted to 5678 Men, and that of Prince *Eugene* to 5514, in all 11192, beſides 3000 *Germans* of the Regiments of *Greder* and *Surlauben*, who voluntarily liſted themſelves in the Service of the Allies. The 19th the Army marched from *Steinheim*, and encamp'd with the Right at *Puntz*, and the Left at *Gondelfingen*, from whence they advanced the 20th to *Languenau* and *Ober Elchingen*, and the next Day came to *Sefelingin*, within little more than an *Engliſh* Mile from *Ulm*, where the Elector of *Bavaria* not thinking himſelf ſafe, had left

left a Garriſon of Four *French* and Five *Bavarian* Batallions, and was retired further up the River *Danube* towards the *Iller*. The ſame Morning the Duke came to *Sefelingen*, a Deputy from the City of *Memmingen* waited on his Grace to deſire his Protection; and reported, That the Electoreſs of *Bavaria* was gone through that Place with five of her Children, under a Guard of 14 Squadrons, endeavouring to join the Elector, who was then about *Dutlingen*. On the 22d the Governor of *Ulm*, who did juſtly apprehend a Siege, ſent out of the Town 430 Priſoners, which the Enemy had taken at *Hochſtet*, *Dillingen* and other Places, with a Compliment to his Grace, That he would be pleaſed to take a fitting opportunity, to return an equal Number; but thoſe Priſoners being *Germans*, his Grace ſent them to Prince *Eugene*. The Elector of *Bavaria*'s Communication with his own Country being entirely cut off, a Trumpeter came the 23d at Night to the Confederate Camp, with a Letter from his Electoral Highneſs, deſiring his Grace would give Conveyance to one encloſed to the Electoreſs, which his Grace ſent forward by a Trumpeter of his own to *Munich*, the Electoreſs with her Children being gone thither. The next Day Prince *Lewis* of *Baden* came to *Sefelingen*, to confer with his Grace and Prince *Eugene*, having left his Army encamped at *Lawingen*. The 25th thoſe three Generals had a long Conference, wherein they concerted the further Operations of the Campaign; and it was reſolv'd, That ſeeing the Enemy were returning towards the *Rhine*, all the Confederate Forces ſhould likewiſe March that Way, except 23 Battalions and ſome Squadrons, which ſhould be left under the Command of General *Thungen*, to carry on the Siege of *Ulm*; and that Count *Wratiſlau* ſhould continue in the Camp before that Place, to manage the Negotiations with the Electoreſs, who made ſome Overtures to deliver, not only *Ulm*, but the whole Electorate of *Bavaria* upon certain Conditions. This Reſolution being taken, the Confederate Troops moved the next Day from the neighbourhood of *Ulm* towards

towards the *Rhine* by different Roads, for the eaſe of the Country of *Wirtemberg*. The *Dutch* and *Heſſians* march'd together one way; the *Hannoverians* and *Lunenburghers* another; and the *Engliſh* and *Danes*, under the Command of General *Churchil*, advanc'd from *Sefelingen* to *Launſheim*. The 27th the latter continued their March to *Groſs Seiſſen*, and the 28th to *Eberſpach*, where they reſted the 29th. The 30th they came to *Groſs Heppach*, and the 31ſt to *Mundelſheim*, where his Grace join'd them the ſame Evening from the Camp before *Ulm*. The firſt day of *September*, the *Engliſh* and *Daniſh* Troops halted at *Mundelſheim*; and his Grace having received an invitation from the Duke Regent of *Wirtemberg*, by his Grand Maſhal, to his Reſidence at *Stutgart*, his Grace went thither that Morning, accompanied by ſeveral of the General Officers, and after a very magnificent Entertainment return'd in the Evening to the Army, which, the next Day paſſed the *Neckar* at *Lauffen*, and came to *Groſs Gardach*. The 3d of *September* they left *Groſs Gardach* and advanced to *Eppingen*; and the 4th his Grace, with the *Engliſh* and *Daniſh* Horſe, march'd to *Steffelt*, whilſt the Foot moved the ſame day to *Odenheim*. The Enemy having repaſſed the *Black Forreſt*, and being retired over the *Rhine*, Prince *Eugene* did not go to *Rotweil*, as he intended, but went directly to *Raſtat*, to draw the Troops together, and March with them towards *Philipsburgh*, where he arriv'd the 2d of *September*. Three Days after, early in the Morning, his Grace went from *Steffelt* to *Philipsburgh*, where he was received with all imaginable Reſpect, under a general diſcharge of the Cannon of that Place; and from thence he made a Viſit to Prince *Eugene*, at his Quarters at *Wagheus*. After Dinner the Prince and his Grace went together, accompanied by the Count *de Naſſau Weilbourgh*, and other General Officers of the *Palatine* Troops, and paſſed the *Rhine*, and viewed the Camp of *Spirebach*. In the Evening, the Duke return'd to *Steffelt*, where the *Engliſh* and *Daniſh* Foot being arrived that Day, his Grace advanced

vanced the 6th with the Army to *Kirloth*; and having Advice there, that ſeveral of the Enemies Squadrons appeared on the Riſing Ground, over againſt *Philipsburg*, he order'd the *Engliſh* and *Daniſh* Horſe to paſs over the *Rhine* with all Expedition, to joyn the Palatine Troops which Prince *Eugene* had ſent over that Morning. They immediately advanced toward the Enemy, who thereupon retired over the River *Queich* to *Gemerſheim*, and our Army encamped on this ſide. The 7th, the *Engliſh* and *Daniſh* Foot, with the *Dutch* Troops, and thoſe of *Lunenburg* and *Heſſe*, likewiſe paſſed over, and together with thoſe that were before on this ſide, encamped on the *Spirebach*. The 8th in the Morning they were joyn'd by the Imperial Horſe, and Prince *Lewis* arrived at the ſame time from *Aſchaffenburg*. We had Advice, That the Marſhal's *de Villeroy* and *Marſin*, with Monſieur *de Coigny* and the Forces under his Command, were advanced to the River *Queich*, and had poſſeſſed themſelves of all the Paſſes, to prevent our going over that River, in order to inveſt *Landau*. The 9th early in the Morning, the Army Marched from *Spierbach*, with intent to encamp as near the River *Queich* as the Ground would permit; but the Generals having Advice that the Enemy had quitted their Camp on the other ſide that River, notwithſtanding they had been for ſome Days Fortifying and Palliſading all the Fords and Paſſes, Orders were immediately given for the Army to advance and paſs over it, which we did that Afternoon; the Foot Marching over on ſeveral Bridges which the Enemy had broke down, but were ſoon repaired, and the Horſe Fording it over in ſeveral places; and we came and encamped with our Right at *Offenbach* near *Landau*, and our Left at *Rellen*, being the Ground from whence the Enemy had retired that Morning. The ſame Day a Party of Imperial Horſe having met ſome Squadrons of the Enemy, Commanded by the Duke *de Montford*, a Major General, who had been Conducting Four Batallions, and a Sum of Money into *Landau*, fell upon them with

with great Vigour, and put them to the Rout, killing upwards of a Hundred of them upon the ſpot, taking ſeveral Priſoners, and giving deſperate Wounds to their Commander, of which he died ſome few Hours after. The 10th in the Morning, the Army advanced again towards the Enemy, who lay that Night on their Arms, and as ſoon as they had notice that we intended to March, retired in great Confuſion towards the River *Lauter*, and we came and encamped with our Right at *Bareltroth*, and our Left at *Langencandel*, where we halted the 11th. In the mean time the Enemy paſſed the *Lauter*, and Marched to *Haguenau*; ſo that they having quitted all the Poſts from whence they might have obſtructed our attacking of *Landau*, Prince *Lewis* Marched thither the 12th with the Troops that were to beſiege that Place, in order to Inveſt it; and his Grace with Prince *Eugene*, came to the Camp of *Weiſſenburg*, (or *Croon Weiſſenburgh*) to cover the Siege. The Duke put a Garriſon into *Lauterbourgh*, and gave directions that one of our Bridges ſhould be brought up from *Philipsburgh*, and laid over the *Rhine* near that Town, in order to preſerve a Communication with the other ſide of the River, for the better Subſiſtence of the Army. Brigadier General *Ferguſon*, March'd the ſame Day with Five Batallions of *Engliſh* Foot, to wit, one of the Royal Regiment, General *Churchill*'s, the Lord *North and Grey*'s, Brigadier *Row*'s, and Brigadier *Meredith*'s Regiments for *Mayence*, where they were to embark with the *French* Priſoners, and to conduct them to *Holland*. The ſame Night alſo, his Grace received an Expreſs from General *Thungen*, with Advice, 'That having formed the Siege of *Ulm*, and 'received his great Artillery the 8th of *September*, 'the Garriſon beat a Parley the 10th, and the 11th 'ſurrendred that Place upon honourable Terms, 'which he was inclined to grant, that no Time 'might be loſt for the farther Execution of the 'Projects of this Campaign. The Imperialiſts found in *Ulm* Two Hundred Twenty Two Braſs Pieces of Cannon,

Cannon, Twelve Iron Guns, Twenty Five Braſs Mortars, One Thouſand Two Hundred Barrels of Powder, with other Stores and Proviſions in great abundance. A ſeaſonable Supply for carrying on the Siege of *Landau*. 1705.

On the 6th of *September*, the Trenches were open'd, and on the 19th, the King of the *Romans* arriv'd there, where his Grace being by this time perfectly Recover'd of his Indiſpoſition, went to wait upon his Majeſty, accompanied by Prince *Eugene* and other General Officers, and was receiv'd by that Imperial Prince with ſuch Demonſtrations of Affection, as ſufficiently expreſs'd the high Eſteem he had of his Grace's Perſonal Merit, and of his great Services to his Majeſty's Family, and the whole Empire. His Grace ſtaid two days before *Landau*, and having view'd the Approaches, return'd to his Camp at *Croon Weiſſemburgh*. On the 28th in the Morning, the Duke waited again on the King of the *Romans*, who that Day review'd the Army before *Landau*, and ſtaid with his Majeſty all Night; and three Days after, that Prince attended by the principal Officers of his Court and Army, went to make his Grace a Viſit in his own Camp, and to ſee his Victorious Troops, of which the Duke having notice, he drew up the Army in two Lines, and receiving his Majeſty at the Left Wing, waited on him all along the Line, and ſaluted him with a Tripple diſcharge of all the Artillery and ſmall Arms; the King expreſſing a great ſatisfaction at the Entertainment and the good condition he found the Army in. On the 7th of *October*, his Grace return'd the Viſit, where he had a long Conference with the King of the *Romans*, and Prince *Lewis* of *Baden*; and being return'd to *Croon Weiſſemburgh*, he receiv'd Advice that the *French* intended to ſend a Detachment from the *Netherlands*, to ſecure *Triers*; wherefore his Grace ſent ſome Batallions, and a Detachment of Dragoons to poſſeſs *Homburgh*, and fortifie that Poſt; this Detachment was follow'd by another on the 22d of *October*, and by the Duke

in Perſon on the 24th, who on the 28th arrived at *Hermerskell* within 6 Leagues of *Triers*, where three Deputies of the City waited on his Grace, and acquainted him, that the *French* having ſtill 300 Men in the Fort St. *Martin*, they were apprehenſive of ſome ill uſage, if his Grace did not prevent it; whereupon he March'd the 29th before break of Day, with all the Horſe, and four Batallions of Foot, and about 11 appear'd in ſight of *Triers*, ſo that the *French* abandon'd the Fort in haſt.

Having poſſeſſed that important Poſt, he ſummoned a great Number of Pioneers to work on the Fortifications, and the 31ſt went and viewed the Ground about the *Saar*, in order to mark out a Camp for the Horſe to cover thoſe Work-men, and the next Day went towards *Traerbach* to take a narrow view of that Place, and having given the neceſſary Directions for carrying on the Siege, the care of which was Committed to the Prince of *Heſſe*, he returned the next Day towards *Landau*, where he found the Beſiegers Maſters of the Counterſcarp; and on the 8th of *November*, arrived at *Croon Weiſſemburgh*, ſomewhat diſpleas'd with the ſlowneſs with which the Siege of *Landau* was carried on, and conſidering that the *French* had ſent all their Horſe of the Houſhold from their Camp at *Haguenau*, to put them into Winter Quarters, his Grace order'd the *Engliſh* Cavalry to March from *Croon Weiſſemburg* towards *Holland*.

On the 10th of *November*, the Treaty of Accommodation between the Emperor and the Electoreſs of *Bavaria*, was Concluded by the King of the *Romans*, and the Deputies of Her Electoral Highneſs, who was to ſurrender all the Towns in her Poſſeſſion to His Imperial Majeſty; to continue at *Munich* with a Guard of 400 Men, and to have a Yearly Penſion allowed her out of the Revenues of that Electorate, for the ſupport of Her Court and Family. About the middle of *November*, the Duke of *Marlborough*, being ſenſible, that the Siege of *Landau* would not laſt much longer, took his Leave of the King of the

the *Romans*, and the other Generals, order'd the *Engliſh* Foot to decamp, and march towards the *Rhine*, in order to be embark'd for *Holland*; and having given the neceſſary directions for the Winter Quarters of the reſt of the Forces under his Command, reſolved to Crown his Glorious Campaign by an important Negotiation with the King of *Pruſſia*, in favour of the Duke of *Savoy*; in order to which, his Grace ſet out from *Weiſſemburg*, on his journey to *Berlin*, the 15th of *November*. The ſame Day, the Beſiegers before *Landau*, ſtorm'd the Half Moon next their Approaches, and lodg'd themſelves on it with inconſiderable loſs. A Week after they ſprung a Mine under the Half Moon, which threw up ſuch a great quantity of Earth, that it almoſt fill'd up the Ditch. The Beſiegers made uſe of this Advantage to attack the two Counter-Guards, and wholly poſſeſs'd themſelves of that on the Right, and took Poſt on the Angle of the other on the Left; whereupon the Garriſon beat a Parly the next day. Hoſtages being exchanged, the King of the *Romans* Granted the Garriſon very Honourable Articles; in Purſuance of which they deliver'd one of the Gates the 25th, and the 26th Marched out of *Landau*, to the Number of 3400, which ſurviv'd out of 7000 Men, of which the Garriſon conſiſted at the beginning of this Siege. The loſs of the Beſiegers was leſs in proportion, for they had not above 2000 Men killed, and about twice as many wounded; but yet the *French* Governor gain'd more Honour by his Vigorous Defence, than the *Germans* did by their Conqueſt, ſince he ſtopt above two Months, the Progreſs of a Victorious Army, which might otherwiſe have Penetrated into the very Heart of *France*; an Honour which, together with a good Penſion from his Maſter, made Monſieur *de Laubanie* large Amends for one of his Eyes, which he loſt in that Memorable Siege. The King of the *Romans* went into *Landau*, the ſame day the *French* evacuated the Town, and found it reduced to a heap of Rubbiſh; and having given the Command thereof to the

Count *de Frieze*, who had before fill'd that Poſt with ſo much Reputation, his Majeſty ſet out for *Vienna*; ſending Prince *Eugene* to reduce the Refractory Garriſon of *Ingoldſtadt*, and to ſettle the Affairs of *Bavaria*; and leaving to Prince *Lewis* of *Baden* the diſpoſition of the Forces of the *Rhine*.

In the mean time, the Prince of *Heſſe Caſſel* was carrying on the Siege of *Traerbach*, where the Allies found as great Reſiſtance, as they had met with at *Landau*, in proportion of the bigneſs of the Place, and the Number of the Garriſon. The Caſtle of *Traerbach* was Inveſted the beginning of *November*, and the Batteries began to Play the 18th of that Month, with ſo much Succeſs, that on the 21ſt, the Beſiegers attempted to Storm and Scalade it; but the Rock, on which that Fortreſs is Built, proved ſo Steep on that ſide, the Rain was ſo violent, and the Beſieged made ſo Vigorous a Defence, that the Aſſailants were forced to retire with loſs. The *French* Governor having been Mortally Wounded in that Attack, the Allies hoped to have better Succeſs in another Attempt, which they made the 23d in the Night, but they were again oblig'd to abandon that Attack, and to remove their Batteries on the other ſide, where the Aſcent of the Rock is more eaſie: Which Service took up their time till the latter end of *November* (*New Stile.*) The *French* made ſome Motions about *Thionville*, as if they intended to March to the relief of *Traerbach*; but the Prince of *Heſſe Caſſel* having detached ſome Troops, to Reinforce Lieutenant General *Hompeſch* about *Triers*, the Enemy returned to their Quarters; and thereupon the Allies put the Dutchy of *Lorrain* under Contribution, the *French* having firſt violated the Newtrality of that Dutchy, and its Dependancies. The badneſs of the Weather, and the loſs of the Baron of *Trogne*, the States chief Ingineer, who was ſhot by the Prince of *Heſſe*'s ſide, giving the neceſſary Orders, were great Diſcouragements to his Highneſs to purſue the Siege of *Traerbach*; but nevertheleſs that Prince cauſed the Attacks to be carried on with Vigour, and at laſt obliged

ged the Garriſon to ſurrender on Honourable Conditions.

We muſt indeed mention the Campaign in *Flanders*, tho' little of Moment happen'd on that ſide however, conſidering by the Duke of *Marlborough*'s Expedition, and his drawing the Flower of the Army to the *Danube*, the *French* did not make that Advantage of it, as the Precautions of ſome had ſerv'd them to imagine; it being the only inferrence of weight, that was drawn up in the Congreſs at the *Hague*, againſt the Duke's march into *Germany*; the event of which was ſufficiently anſwer'd, as well in what his Grace had done There, as in that the Enemy were not capable of making the leaſt Advantage of it in the *Netherlands*; which were the two Pillars of the Duke's Argument, on which he built the Foundation of that Glorious Project, and might very well, (as it did) raiſe his Reputation the higher: But to the Campaign in *Flanders*.

On the firſt of *June* (N. S.) Monſieur *d' Auverquerque* decamp'd from the Neighbourhood of *Maſtricht*, and marched that Day and the following Night towards the Enemy, who where ſurpriſed in the morning to find our Forces in ſight, and endeavoured to poſſeſs themſelves of a conſiderable Poſt near *Tongeren*; but being prevented in that Deſign, and unwilling to hazard coming to an Ingagement, they were forced to march about to get into their Lines, which they did at *Jaes*. General *Dopff*, at the ſame time perceiving them to be in ſome Diſorder, advanced with 30 Squadrons of Horſe and Dragoons directly towards the *French* Lines by the ſhorteſt way, and finding them but ſlightly guarded, forced them near *Waſſegue* with little Oppoſition. He remained in that Poſt near three Hours, and ſent advice of what he had done to Monſieur *d' Auverquerque*, who thereupon called a Council of War, wherein it was reſolv'd, That ſeeing the Enemy, with a ſuperior Force, might fall upon Monſieur *Dopff*'s Detatchment, before the reſt of our Army could get up to ſupport him, it was not adviſeable for him, to con-

tinue in that Poſt; which Reſolution being ſent him, he quitted the Lines, and rejoined the Army.

About a Month after, Monſieur *d' Auverquerque* detatch'd the Baron *de Trogne*, Brigadier General, to Attack the *French* Lines the next day between *Meerdorp* and *Waſſeigue*, and to take Poſt there till the reſt of the Army could come up to him, which began to March for that purpoſe the 4th at Night. This Enterprize had no better ſucceſs than the former; for tho' the Baron *de Trogne* entred the *French* Lines near *Meerdorp* without any Oppoſition, yet the Rivers *Herk* and *Demer*, being overflow'd in ſuch a manner, that it was judged impoſſible for the reſt of the Army to come up to ſupport him; it was reſolved in a Council of War, to give over that deſign, and Orders were accordingly ſent him to rejoyn the Main Army, which after that march'd to *St. Tron*, and from thence to *Narſin* near *Huy*. Towards the middle of *July*, (N. S.) the Baron *de Trogne* was once more ſent with a Detachment towards the *French* Lines, into which he entred the 19th at night near *Heildeſheim* with little Oppoſition; but upon Advice, that a conſiderable Body of the Enemy were drawing that way to fall upon him, Orders were again diſpatch'd to him to retreat; whereupon he rejoyn'd the Army, which was now Encamp'd at *Morſem*. From this Camp Monſieur *d' Auverquerque* ſent out two Detatchments, the one to Bombard *Namur*, which was done from the 26th to the 29th of *July*; the other to fortify *Dinant*, and to raiſe Contributions between the *Sambre* and the *Maeſe*. The States Army return'd afterwards to *St. Tron*, conſuming all the Forrage to the very Lines of the Enemy: Who being ſtill inferior in Strength, kept themſelves very quiet within thoſe Works. While the Grand Army of the States was on the *Maeſe*, the *Dutch* Forces in *Flanders*, Commanded by Baron *Spar*, Bombarded *Bruges*, and made themſelves Maſters of the Fort *Iſabella*, which was very troubleſom to the *Dutch*; whoſe Ships could not come up to *Sluyce*, without being expoſed to the Fire of that Fort. Nothing of moment

moment paſſed afterwards in the *Netherlands*, till the arrival of the Elector of *Bavaria* at *Bruſſels*, with ſome broken Remains of his Defeat at *Bleinheim*. That Prince, like a puſhing Gameſter, had reſolv'd to attempt the Recovering of all his Loſſes, by venturing his laſt Stake; of which the Court of *France* being apprehenſive, they ſent the Mareſchal *de Villeroy* to the *French* and *Spaniſh* Army in *Brabant*, to watch the Elector's Motions, and to prevent an Engagement. This Precaution was very Neceſſary, for the Elector had certainly deſign'd to attack Monſieur *d' Auverquerque* in his Camp at *Borcloen*, the 28th of *October* (N. S.). He had order'd ſeveral Batallions to paſs the *Maeſe*, as if they were to march towards the *Moſelle* or Beſiege *Huy*; but they were immediately recall'd, and all the Garriſons were commanded to repair the 27th to *Tirlemont*, where all their Forces join'd, with a great Number of Waggons. The Elector reſolv'd to march the next Day, and the Mareſhal of *Villeroy*, who had conſented to all theſe Motions, in hopes that the Army of the States would retire under the Cannon of *Maeſtricht*, and that he ſhould not be oblig'd to ſhew to the Elector the Mortifying Orders he was intruſted with, was very much ſurpriz'd to ſee, that Monſieur *d' Auverquerque* waited for them in his Camp, without being concern'd at their Superiority. This oblig'd him to repreſent to his Electoral Highneſs, the Difficulties of Attacking the Enemy; the Advantage of their Camp; the Bravery of their Troops, encourag'd by the Succeſs of their Affairs in *Germany*, and the ill Conſequences the Loſs of a Battle would be attended with. Theſe Reaſons, tho' undeniable, made no Impreſſion on the Elector, who breath'd nothing but Revenge, and therefore inſiſted to march on. He was ſo preſſing, and us'd ſuch reflecting Words, that the Mareſchal *Villeroy*, who is as high Spirited as any Elector, anſwer'd him, That he would not march, and to end the Diſpute, ſhew'd him the King's Orders. This was a Thunderbolt to his Electoral Highneſs, who immediately quitted

the Army, and return'd to *Bruſſels*. About a Month after, the Enemy went into their Winter Quarters, whereupon the Army of the States did the ſame. And now it will be abſolutely neceſſary to take a ſlight view of the Affairs of the Duke of *Savoy*.

The Troubles of *Hungary* having obliged the Emperor to keep an Army on that ſide, the Imperial Forces in *Italy*, were not Reinforc'd as they ought to have been; and Count *Leiningen*, their Commander, being too weak to reſiſt the Grand Prior of *France*, after the latter had paſs'd the *Po*, thro' the Connivance of the Troops of the *Pope*, the Imperialiſts were forc'd to quit their Poſts in the *Mantuan*, and to retire into the Country of *Trent*, ſo that they preſerv'd nothing of the many Conqueſts of Prince *Eugene*, except *Mirandola*. 'Tis true, Count *Leiningen* return'd ſometime after, into *Italy*, and poſted himſelf in the *Breſcian*; but the Diverſion he gave to the *French*, was not conſiderable enough to eaſe the Duke of *Savoy*, who having receiv'd no Reinforcement ſince the Succours brought to him by Co unt *Staremberg*, was reduc'd to very great Streights by the great Superiority of the Duke *de Vendoſme*. The Emiſſaries of *France* uſed all imaginable Endeavoiurs to gain that Prince by magnificent Promiſes. His Royal Highneſs, too cunning to be decoy'd into his run by thoſe glittering Baits; and too wiſe to put the Fate of all his Dominions upon the dubious Iſſue of a Battle, reſolv'd to ſtand upon the Defenſive with his little Army, and provided all his Fortreſſes with good Garriſons, and all Neceſſaries for a Vigorous Defence. The Duke of *Savoy* being advanc'd towards *Villanova*, over againſt *Cazal*, the Duke of *Vendoſme* reſolved to paſs the *Po*, and attack that Prince: For which purpoſe he went over that River the 5th of *May* in the Night, and the next Morning drew up his Men in order of Battle. The Duke of *Savoy* having Intelligence of the Enemies Motion, and that their Forces were much Superior, it was reſolved to retire to *Creſentino*: The *French* Attack'd his Rear, but without any great Execution. After which

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the Duke *de Vendoſme* Inveſted *Verceil*; The Garriſon made a Noble and Reſolute Defence, for near ſix Weeks, and were then oblig'd to Surrender Priſoners of War. About a Month after, the Duke *de Vendoſme* Inveſted *Ivrea*, and in 16 days after the Trenches were open'd, oblig'd the Garriſon to Capitulate; but allowing them no Terms, they retir'd into the Caſtle and held out 12 days longer; On the other Hand, the Duke of *la Fuillade* having made ſeveral Motions between *Suza* and *Pignerol*, march'd with a Detatchment of his Troops into the Dutchy of *Savoy*, to attack the Forces of the Duke of *Savoy*, in the Valley of *Aoſta*, to cut off thereby all Communication between *Germany* and *Piedmont*, by way of *Swiſſerland*; and either by the Treachery or Cowardiſe of a new rais'd Batallion of *Switzers*, made himſelf Maſter thereof without any Reſiſtance: General *Redding*, who commanded thoſe Troops, ſurrendring the ſtrong Fort of *Bar*, wherein he pretended to make a long Reſiſtance, a few Hours after the *French* had rais'd a Battery againſt it. And now the Duke *d' Vendoſme* intirely bent upon the Ruin of the Duke of *Savoy*, reſolv'd, tho' very late in the Year, to Beſiege *Verrue*, where by the long and brave Defence of the Garriſon, they wearied out and ruin'd a fine Army before it; and though the Duke of *Vendoſme* became Maſter of it, after a hard Siege of ſix Months, yet it had ſo diſtracted, and poſtpon'd the other Projects he had Concerted, that it quite baulk'd and ruin'd his deſign of Beſieging *Turin* early next Campaign; for while he was taken up with repairing his ſhatter'd Forces, the Duke of *Savoy* made a new Rampart at *Chivas*, to cover *Turin*, till the Imperial Army cou'd be in a Condition to make a powerful diverſion in his Favour.

The Preſence of King *Charles* III. in *Portugal*, had not the influence that was generally expected. After ſeveral Councils of War held in the preſence of their *Catholick* and *Portugueze* Majeſties, which paſſed not without ſome Altercations, between the Duke of *Schomberg*, and the *Portugueze* Generals and Miniſters;

ſters; the Auxiliary Forces of *England* and *Holland*, begun to land the 16th of *March*, (*New Stile.*) The Duke of *Schomberg* had warmly inſiſted, that theſe Auxiliaries might keep in a Body; and urg'd the Inconveniencies that would reſult from their Separation; but the King of *Portugal* being unwilling to truſt the Defence of his Frontier Towns, to his raw and undiſciplin'd Troops, the *Engliſh* Infantry had their Quarters aſſign'd in *Olivenza*, *Elvas*, *Portalegre* and other places in the Province of *Alentejo:* and the *Dutch* were ſent up the *Tajo* towards *Abrantes*. The King of *Portugal*, by his Treaties with *England* and *Holland*, had engag'd to furniſh Horſes to mount the Cavalry and Dragoons of thoſe two Nations; but whilſt the King of *Spain*, *Charles*, was detain'd in *Holland* and *England* by contrary Winds, the *French* Ambaſſador in *Portugal*, with admirable Induſtry, bought up the beſt Horſes of that Kingdom; ſo that moſt of the Horſes which his *Portugueze* Majeſty's Officers did afterwards provide for the *Engliſh* and *Dutch* Auxiliaries, being neither of a ſize nor ſtrength fit for Service, ſcarce one third part of the Troopers and Dragoons were mounted this Campaign. Neither was there better Proviſion made for Sick Soldiers, which, after ſo tedious a Paſſage, could not but be in great numbers, and of which abundance died for want of Attendance and Neceſſaries.

Another ill Omen of the Succeſs of the Campaign on that ſide, was, the Differences that happen'd between the *Portugeze*, and the *Engliſh* and *Dutch* Generals.

There needed no Picks, nor Diſguſts to retard the neceſſary Preparations for the Campaign; for King *Philip*, tho' laſt in Declaring War, was yet the firſt in putting it in Execution: And accordingly the firſt of *May*, he ſet out from *Placentia*, arriv'd at *Alcantara* the 5th, and the ſame day went to the Camp near that Place, where, in a Council of War, he declared his Reſolution to Invade *Portugal* the 7th. Accordingly, the Army, which conſiſted of about 15000 Foot, and 7000 Horſe and Dragoons, having

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on that Day paſt the *Tagus* near *Alcantara*, the Duke of *Berwick* cauſed the Town of *Salvaterra* to be Inveſted, and the next day ſent a Summons to the Governor, threatning to treat him and his Garriſon with the utmoſt ſeverity, if he refuſed to Surrender. Thereupon the Governor, who had with him but 4 or 500 new rais'd Men, ſent out 4 Captains to treat; but the Duke of *Berwick*, inſtead of debating Articles, made thoſe 4 Captains Priſoners: And advanced immediately with a Detachment to *Segura*, another little Town, about a League from the other, and threatned to put the Governor and Garriſon to the Sword, if he did not give up the Place, as the Governor of *Salvaterra* had done: For he had the four Captains his Priſoners, whom by Threats and Promiſes he perſwaded to ſay, that they had opened their Gates. By this Stratagem, the Garriſon of *Segura*, which conſiſted only of ſome Companies of the Militia, ſurrendred without much Heſitation; and then the Duke of *Berwick* returning to *Salvaterra*, ſo intimidated the Governor, that he delivered up the Place without making any Defence, and conſented that himſelf and his Garriſon ſhould remain Priſoners of War. From *Salvaterra* the *Spaniſh* advanc'd further into the Country, and without any Reſiſtance, made themſelves Maſters of *Cebreros*. *Pena Garcia* endur'd ſome Diſcharges of Cannon, and then Surrendred. The Inhabitants of *Zebredo* abandon'd it at the approach of the *Spaniſh* Troops; and the Town of *Ihana la Viella*, rejecting the Summons, was Aſſaulted, and carried Sword in Hand. About the ſame time the Marquis of *Jeoffreville* having entred *Portugal* on the ſide of *Almeida*, put ſeveral Villages under Military Execution; and Prince *TSerclaes de Tilly* being advanced to *Aronches*, raiſed great Contributions thereabouts, whilſt the Marquis *de Villadarias* penetrated into *Portugal* another Way.

Theſe uninterrupted Succeſſes of the *Spaniards*, put the *Portugueze* into great Conſternation; and General *Fagel*, who was poſted at *Caſtelbranco*, with four *Dutch* Batallions, not thinking himſelf ſafe there, retired

retired towards *Abrantes* with two Battalions. The other two he posted at *Sovreira Formosa*, where they were soon after Attack'd by ten Batallions and several Squadrons, Commanded by the Duke of *Berwick*, and after a stout resistance, were most of them taken Prisoners, with Major General *Welderen*, and 35 other Officers. After this Success, the Duke of *Berwick* plunder'd several Villages and open Towns near *Castelbranco*, and having passed the *Tagus* (or *Tajo*) advanced towards *Portalegre*, where he joyn'd another Body of *Spaniards*, Commanded by Prince *TSerclaes de Tilly*; and *Philip* being arrived in the Army, caus'd that Town to be Invested. Tho' that Place was not regularly Fortified, yet it was expected, that the Governor, having with him three good Batallions, one of which was the *English* Regiment of *Stanhope*, besides some Militia, making in all near 4000 Men, would have made a long and vigorous Defence: But the Inhabitants, who where very numerous, forc'd the Garrison to Surrender at Discretion; and themselves took an Oath of Fidelity to *Philip*, who from thence brought his Army before *Castelda-vide*, which, tho' almost an open Town, yet refused to open the Gates; the Garrison being encouraged to defend themselves by the Resolution of the *English* Regiment of Lieutenant General *Stewart*, Commanded by Lieutenant Colonel *Hussey*.

By this time the two Kings of *Portugal* and *Spain*, *Charles* III. were come to *Santarem*, enraged at the loss of so many Places, which they were not in a condition to prevent, and irresolute what to do, to stop the further Progress of the Enemy: After many Councils of War, it was resolved, that the Marquis *das Minas*, Governour and General of the Arms of the Province of *Beira*, should make an Irruption into *Spain*, and by that Diversion, endeavour to draw the Duke of *Anjou*'s Forces from before *Casteldavide*. Pursuant to his Orders, the Marquis having drawn together the Forces of his Government, and being reinforc'd by those of the *Traos Montes* and *Minho*, making 15000 effective Men, decamped the 2d of

June

June from *Almeida* to march towards the *Tajo*, and in his way took by Storm a *Spaniſh* Place in *Caſtile*, call'd *Fuente Grinaldo*, where he found a good Booty, beſides a great quantity of Ammunition and Proviſions; and then continued his march to attack *Monſanto*, wherein the *French* had 120 Men, who had not time to retire. He came before the Place the 9th, but having received advice, that *Don Ronquillo* who had receiv'd a Reinforcement of *French* Troops from the Army of the Duke of *Anjou*, was advancing to relieve the Place, he decamp'd the 11th in the morning with his Horſe, and gave orders to the Foot to follow with all poſſible expedition, intending to attack the Enemy, which he did the ſame day in the Evening. The Enemy, who where ſuperior in Cavalry, attacked the *Portugueze* with a great deal of fury, and the left Wing gave ground; but two Batallions, who were drawn up in a convenient place, made ſuch a diſcharge upon the *French* and *Spaniards*, that they were oblig'd to retire, and the *Portugueze* Cavalry charg'd them ſo briskly, that they run away in great diſorder, leaving 200 Men kill'd or taken Priſoners, and among them 50 Officers. They retir'd towards the Mountains, and the night coming on, hindred the Purſuit of the *Portugueze*; but the Country People taking Arms, purſued them the next day thro' thoſe Mountains and Defiles, killing a great number of them, without giving any quarter, and took 1800 Horſes.

This Succeſs was attended with the Surrender of *Monſanto*; but tho' the Duke of *Anjou* had ſent the Duke of *Berwick* with a ſtrong Detatchment to obſerve the *Portugueze*; and it was from thence concluded, that he would give over the Attack of *Caſteldavide*, yet the Duke of *Berwick* finding that the *Portugueze* did not move forwards, return'd ſoon after before that Place. Colonel *Huſſey* propoſed to the *Portugueze* to retire into the Caſtle, and defend the ſame to the laſt extremity. This met with ſome difficulties on the part of the Governor, and at laſt they beat a Parley the 25th, and propoſed ſome Articles,

ticles, upon which they offered to Surrender. The Duke of *Berwick* rejected them, and during the Ceſſation of Arms, he ſent an Officer to one of the Gates, threatning the Inhabitants to Burn and Plunder the Town, and even to put them to the Sword, if they ſuffer'd the *Engliſh* to retire into the Caſtle. Theſe Menaces made ſo much impreſſion upon them, that when Colonel *Huſſey* endeavoured to retire into the Fort, he was prevented by the Militia, who opened the Gates to the *Spaniards*, and ſo all the Garriſon were made Priſoners of War. The Weather being by this Time exceeding hot in thoſe Parts, the Duke of *Anjou* ſent his wearied Troops into Quarters of Refreſhment, and return'd himſelf to *Madrid*. And, becauſe he thought it impoſſible to preſerve all his Conqueſts, he order'd his men to abandon them, except *Marven* and *Salvaterra*, and to raze the Walls of *Portalegre*, *Caſteldavide*, and ſome other Towns. About the ſame time the *Engliſh* Forces marched from *Alentejo*, into the Province of *Beira*; and the *Portugueze* and *Dutch* into Quarters of Refreſhment about *Pena Major*.

The frequent ill News which came from *Portugal* to *England*, gave no ſmall Uneaſineſs to her Majeſty; and the Duke of *Schomberg*, who bore with great impatience, that his Counſels were little, if at all regarded, having before inſinuated a deſire of being recall'd, the Court judged the Earl of *Galway* to be the fitteſt Perſon to ſupply his Place. He was appointed General and Commander in chief of Her Majeſty's Forces in *Portugal*. The Earl having repreſented to the Council, the neceſſity of Augmenting and Recruiting Her Majeſty's Forces, and of making ſome Additions to the Train of Artillery in that Kingdom, all his Demands were readily complied with; and thereupon Orders were given for a Reinforcement of 4000 Men to be ſent into *Portugal*, both from *England* and *Ireland*; the *Dutch* having at the ſame time agreed to ſend thither a proportionable number of Forces. The Earl of *Galway* having taken his Leave of Her Majeſty, embark'd at *Portſmouth*,

mouth, on Board the *Tartar* Man of War, with ſeveral *French* Ingineers and Volunteers, and in eight Days arriv'd ſafely in the River of *Lisbon*, where the Duke of *Schomberg*, who about that time came there alſo from *Eſtremos*, reſign'd to him the Command of the *Engliſh* Forces. This change was not a little pleaſing to the King of *Portugal*, who thereupon writ a Letter to Her Majeſty of *Great Britain*, 'Aſſuring Her Majeſty of his firm Reſolution to obſerve the Treaty of Alliance, concluded with Her 'Majeſty and her Allies, whatever Viciſſitudes 'might happen. When *Don Ludovico de Cunha*, Envoy Extraordinary to the Queen from the King of *Portugal*, deliver'd this Letter, he, at the ſame time acquainted Her Majeſty, 'That, he had expreſs Orders from his Maſter, to give her Majeſty all poſſible Aſſurances, that his Maſter would with all Vigour purſue the Intentions of that Alliance, till the 'ſame were Accompliſhed.

About a Month after the Earl of *Galway* having review'd the *Portugueze* and Auxiliary Forces, they paſſed the little River *Coa*, and encamp'd near *Almeida*. On the 20th of *September*, the Kings of *Spain* and *Portugal* came to the Army, with deſign to Invade *Caſtille*; but when they came to the River *Agueda*, which they intended to paſs near *Ciudad Rodrigo*, they found the oppoſite Bank ſo well guarded by the *Spaniards*, Commanded by the Duke of *Berwick*, that they thought fit not to hazard the loſs of their whole Army; and ſo retiring further into the Territories of *Portugal*, they ſent their Troops into Winter Quarters.

It is time now to ſee what our *Engliſh* Fleet was doing, after they had Conducted his Catholick Majeſty to *Lisbon*.

Sir *George Rooke*, having hoiſted his Flag on board the *Hampton Court*, ſailed from thence the 16th of *March*, (N. S.) with twelve *Engliſh* and ſix *Dutch* Men of War, to cruiſe off the Cape *St. Vincent*, for ſecuring the paſſage of the *Scanderoon* Fleet, and ſome Merchant Men from *Leghorne*. Two days after he detached

detached Rear Admiral *Dilks* with ſeveral Men of War, in queſt of two *Spaniſh* Men of War, which a *Dutch* Privateer had ſeen the day before; and on the 23d Admiral *Dilks* came up with them, and took them after ſome reſiſtance. They proved to be two Galleon Men of War of 60 Guns each, one call'd the *Porta Cæli*, the other the *Santa Thereſa*, and a Merchant Ship of 24 Guns, named the St. *Nicholas*, being all three bound from St. *Sebaſtians*, and laden with Guns, Bombs, Iron Bars, *&c.* for *Cadiz*, where they were to be fitted out for the *Weſt Indies*: and *Don Diego Bicuna*, their Commodore, had a Commiſſion to Command the Flota deſign'd thither. Two *Engliſh* Men of War, that were out a Cruiſing about the ſame time, forced a *French* Ship of 30 Guns aſhore, on a Sand Bank near *Aymonte*; another *Engliſh* Man took a ſmall *Spaniſh* Ship near Cape *Spartel*, laden with Horſhoes, Nails and Roſin; and a *Dutch* Man of War forced a *Spaniſh* Ship, extraordinary Rich, aſhore on the Coaſt of *Algarva*. Sir *George Rooke* continued Cruiſing, till he heard that the *Scanderoon* Fleet was ſafe out of the *Streights*, whereupon he returned to the River of *Lisbon* on the 20th of *April*, (N. S.)

The 4th of *May*, (N. S.) being St. *George*'s day, and the Anniverſary of Her Majeſty's of *Great Britain*'s Succeſſion to the Crown, it was Celebrated on Board the Fleet, with all poſſible Demonſtration of Joy and Affection for her Majeſty's Perſon and Government. The next day Sir *George Rooke* was Reinforced with 4 *Engliſh* Men of War, which came into the River of *Lisbon*; and three days after he ſailed out from thence, with the *Engliſh* and *Dutch* Fleet under his Command, conſiſting of 40 Ships of the Line of Battle, and having on Board the Prince of *Heſſe Darmſtadt*, two Companies of Foot made up of *Spaniſh* Deſerters, as alſo as many *Spaniſh* Officers, who had left the Duke of *Anjou*'s Service, as were ſufficient to Command two Regiments. The Prince of *Heſſe*, who had many Creatures in *Catalonia*, and poſitive Aſſurances from them, that they were ready

dy to declare for King *Charles* III. if he ſhould bring a ſufficient Force to protect them, was very preſſing with the Kings of *Spain* and *Portugal*, that 2000 Land Men might be put on Board the Fleet; and Sir *George Rook* waited ſeveral days for them, but at laſt he was forced to ſail without thoſe Troops, leſt thoſe delays ſhould hinder him from Relieving *Nice* and *Villa Franca*, which were then reported to be Beſieged by the *French*. The departure of the Fleet cauſed a great Conſternation at *Lisbon*: For the *French* Emiſſaries gave out, That the Grand Admiral of *France* would ſoon come into their River, and burn their City. That Alarm encreaſed to the higheſt degree the 22d, when the Count *Thoulouſe* appeared off the Rock of *Lisbon*; and one of his Frigats coming near the Shore with *Engliſh* Colours, ſeiz'd and carried away ſome Pilots that were gone on Board, according to the Signal they had made. The *French* Faction, which conſiſts chiefly of Monks and Prieſts, gave out, that the *Portuegueze* were to expect nothing elſe than a Bombardment; but Count *Thoulouſe* continued his Courſe to *Cadiz*, where he arrived the 25th of *May*, and the next day proceeded towards the *Mediterranean*, to joyn the *Thoulon* Squadron. As ſoon as the *French* Fleet had left the Coaſt of *Portugal*, a Frigat was diſpatched to Sir *George Rook*, who was to call at *Altea*, to give him notice, that Count *Thoulouſe* had with him 35 Sail, whereof twenty only appeared to be Ships of Force; and likewiſe to acquaint him, that *Nice* and *Villa Franca* were in no danger of a Siege. 1705.

By this time the Confederate Fleet was come before *Barcelona*, and upon the Encouragement given by a Prieſt and others, who ſurrendred themſelves to the Prince of *Heſſe Darmſtadt*, a Flag of Truce was ſent, with a Letter from his Highneſs, to the Governor *Don Franciſco de Velaſco*, to ſummon him to ſurrender the Town to his Lawful Sovereign King *Charles* III. The Governor would neither comply with the Summons, nor ſo much as give admittance to thoſe that brought it; but ſent a Meſſage, *That he would entertain no Friendſhip or Correſpondence with any*

that were Enemies to Philip V. *the true King of* Spain. Thereupon it was resolv'd, that all the *English* and *Dutch* Mariners should be landed within a Mile of the Town, the *Spaniards* that had surrendred themselves, having assured the Prince and Admiral, That in the City there were five to one for *Charles* III. and that upon the appearance of Landing Men, that great Majority would deliver up the City. The Marines being accordingly Landed, a Trumpeter was sent to demand the Surrender, whom the Governor detained; but sent another with a Letter, importing, That such a Demand required consideration, and therefore desired that no Act of Hostility might be committed, till they had sent his Trumpeter back again. This Answer being unsatisfactory, the *Dutch* Bomb Ketches threw about 60 Bombs into the City, which tho' they did some Execution, yet were not able to make the Governor change his Resolution; and the Prince of *Hesse* apprehending, that a superior Force might fall upon the Land Men, he caused them to be Reimbark'd, and then desired that the Bomb Ketches might give over Firing, his design being not to hurt the Inhabitants, whom he was perswaded to be well affected to the House of *Austria*. It was believed by many in the Fleet, that the City would have been delivered up, had not one of the Soldiers Deserted, and given the Governor an Account, that the number of the Men Landed, did not consist of more than 17 or 1800; and that Sir *George Rooke*'s Orders were such, that he could not stay longer than a day or two; whereupon the Governor secured several of the chief Persons in the City, whom he found to be in the Interest of *Charles* III. On the first of *June*, the Confederate Fleet weigh'd Anchor, and made the best of their way thro' the Gulph of *Lions* towards *Nice*, and making the Cape *Thoulon*, they got Intelligence of the *French* Fleet, which they afterwards came up with; but the Wind not affording Sir *Geo. Rook* an opportunity to fight them, they escap'd to *Thoulon*. Upon which Sir *George* return'd to *Lisbon*, where he join'd S. *Cloudesly Shovel*, with whom he Sail'd again into the *Mediteranean*;

Where

Where in a Council War, it was resolv'd to make a sudden Attempt upon *Gibraltar*. Accordingly the Fleet Sail'd thither, and being got into that Bay, the *English* and *Dutch* Marines, to the number of 1800, headed by the Prince of *Hesse Darmstad*, were put on Shoar on the neck of Land, to the Northward of the Town, to cut off any Communication with the Country. His Highness having posted his Men there, sent a Summons to the Governor, to Surrender the Place for the Service of his Catholick Majesty, *Charles* III. which he rejecting with great Obstinacy, the Admiral on the 22d in the Morning, gave Orders, that the Ships which had been appointed to Cannonade the Town, should range themselves accordingly; but the Wind blowing contrary, they could not take their Post till the day was spent. The next day, early in the Morning, the Ships being all plac'd, the Admiral gave the Signal for beginning the Cannonade, which was perform'd with very great Fury, about 15000 Shot being made in five or six Hours time against the Town, insomuch, that the Enemy were soon beat from their Guns, especially at the South-Mole-head. Thereupon the Admiral considering, that by gaining that Fortification, they should, of course, reduce the Town, order'd Captain *Whitaker*, with all the Boats Arm'd, to endeavour to possess himself of it, which was performed with great Vigour and Success by Captain *Hicks* and Captain *Jumper*, with their Pinnaces and other Boats, and with the loss only of two Lieutenants and 40 Men killed, and about 60 Wounded, by the springing of a Mine, that blew up the Fortifications upon the Mole. However, the Confederates kept Possession of the Platform, which they had made themselves Masters of; and then Captain *Whitaker* landing with the rest of the Seamen, that were Commanded upon this Service, they boldly advanced, and took a Redoubt, half way between the Mole and the Town; and possessed themselves of many of the Enemies Cannon. The Admiral then sent a Letter to the Governor; and the same time a Message to the Prince of *Hesse Darmstad*, to desire him, peremptorily

rily to require the Governor to Surrender the Town, which his Highneſs did accordingly. The Governor, whoſe Garriſon did not conſiſt of above 150 Men, comply'd with the Summons, and having deſired to Capitulate, had very Honourable Articles granted him for himſelf and the *Spaniſh* Soldiers and Inhabitants; but it was agreed, that all the Subjects of the *French* King ſhould be excluded from the Capitulation, and that their Effects ſhould remain at the Admiral's Diſpoſal, and their Perſons Priſoners of War.

The News of the taking *Gibraltar* being brought to *Madrid*, it quite alter'd the Meaſures of the Duke of *Anjou*; and the Marquis *de Villadarias*, who ſhould have been otherwiſe employ'd, was thereupon detach'd with 8000 Men, either to retake that Place, or ſtop the further progreſs of the Allies. On the other hand, the *French* King, whoſe Intereſt it was to guard the *Spaniſh* Coaſts and Maritime Towns, and to awe and confirm the People of *Spain* in their Obedience to his Grand-Son, by the Reputation and Terror of his Naval Power, ſent immediately poſitive orders to his Grand Admiral, to obſerve, ſeek out, and fight the Confederate Fleet, and to aſſiſt the Marquis *de Villadarias* in the Retaking of *Gibraltar*.

On the 20th of *Auguſt*, N. S. the Confederate Fleet return'd from Watering their Ships on the Coaſt of *Barbary*, and ſtanding out of *Tetuan* Bay, within ſight of the High Lands of *Gibraltar*, the *Centurion*, one of the Scouts, made a Signal of ſeeing the Enemies Fleet, as their Scouts alſo did of ours; whereupon a Council of Flag Officers was call'd, wherein it was determin'd to lye to the Eaſtward of *Gibraltar*, to receive them, they being to the Windward, the Wind at Eaſt; but it ſeems, the *French* did not think then fit to engage, becauſe they had but ſome few of their Gallies, and the Rendezvous of the reſt of thoſe Veſſels being appointed to be at *Velez Maliga*, they ply'd up to that Place, where they found and joyn'd them.

The Enemy then not bearing down, gave the Confederate Fleet the Leiſure to ſend for half of the 1800 Marines, which had been left at *Gibraltar*, leaving the other half, with all the Officers of that whole

whole Body, to keep Poſſeſſion of the Place, under the Command of the Prince of *Heſſe Darmſtad*. The 21ſt and 22d, were ſpent in plying to Windward, in purſuit of the Enemy, of whom they could have no other Account, than what they cou'd gather by the Report of their Signal Guns; and on the 22d, the *Engliſh* having driven a *French* Ship aſhore under *Marabelle*, her Crew quitted her, and ſet her on fire. The 23d, not hearing any of their Guns all Night, nor ſeeing any of their Scouts in the Morning, Sir *George Rooke* had a jealouſie, that the *French* might make a Double, and by the help of their Gallies, ſlip between him and the Shore to the Weſtward. Upon this ſuſpicion, a Council of War was call'd, wherein it was reſolv'd, that in caſe the Confederates did not ſee the Enemy before Night, they ſhould make the beſt of their way to *Gibraltar*; but ſtanding in to the Shore about Noon, they diſcover'd the Enemies Fleet and Gallies to the Weſtward near Cape *Malaga*, going away large, and bore after them in a Line of Battle all that Night. The *French* in the mean time form'd themſelves likewiſe, by the help of their Gallies into a Line of Battle, and brought too with their Heads to the Southward, the Wind being Eaſterly, lying ready to recieve the Confederates, who on *Sunday* the 24th of *Auguſt*, (N. S.) in the Morning, bore down to attack them, about 10 or 11 Leagues South of *Malaga*.

The *French* Line, which conſiſted of fifty Ships, was very ſtrong in the Center; but weaker in the Van and Rear; to ſupply which, moſt of their Gallies were divided into thoſe Quarters, The Marquis *de Villette*, Lieutenant-General, commanded their Van with the *White* and *Blue* Squadrons, having on his ſecond Line the Duke of *Turſis*, with the ſeven *French* Gallies of his Squadron, and five *Spaniſh*. The Count *de Thoulouſe* was in the Center, with the *White* Squadron, having behind him the Marquis *du Roye*, with four Gallies; and the Marquis *de Langeron*, Commanded the *Blue* Squadron in the Rear, having behind him 8 *French* Gallies, under the Command of the Marquis *de Ferville*. The Line of the Con-

ſederate Fleet conſiſted of 53 Ships, Sir *George Rooke*, the Admiral; and Rear Admirals *Bing* and *Dilks* being in the Center; Sir *Cloudeſly Shovel*, and Sir *John Leake* leading the Van; and Vice Admiral *Callemberg*, with Rear Admiral *Vander Duſſen*, with 12 *Dutch* Ships Commanding in the Rear. The Admiral order'd the *Swallow* and *Panther*, with the *Lark* and *Newport*, and two Fireſhips, to lie to the Windward, that in caſe the Enemies Van ſhould puſh through the Confederate Line, with their Gallies and Fireſhips, they might give them ſome Diverſion. A little after ten of the Clock, Admiral *Shovel*, with the Van, bore down upon the Enemy, and was at ſome diſtance from the Center, which the Marquis *de Velette* obſerving, and thinking he might get a head of that Squadron, with his foremoſt Ships, made a Signal to the headmoſt Ships of the *French* Line, to croud all the Sail they could. Admiral *Shovel* ſtill bearing down upon the Enemy, inſenſibly found himſelf in their Line a-head of them; which the *French* judging to be a favourable Opportunity, reſolv'd to make their Advantage of it by keeping their Wind, and crouding all the Sail they were able, in order to cut off the Van of the Confederates from the reſt of their Fleet; hoping, with reaſon, that if it grew Calm, which uſually happens in a Sea-Fight, their Gallies might tow them off, ſo as that they might make a Double and weather Sir *Cloudeſly Shovel*, and fire upon him on both ſides. But Admiral *Shovel* having diſcover'd the Enemies Intentions, immediately clapped upon a Wind, and Sir *George Rooke* foreſeeing what would be the Conſequence, if his Van was intercepted, bore down upon the Enemy with the reſt of the Confederate Fleet, and put out the Signal for the Fight, which was immediately begun by Admiral *Shovel*; and was continued with equal Fury, Obſtinacy and Reſolution on both ſides, till about two in the Afternoon, when Sir *Cloudeſly Shovel* having diſabled ſeveral Ships of the Enemies Van, oblig'd them to bear away out of the reach of his Cannon. Sir *George Rooke* had not the like Succeſs in the Center; for the Enemies Body being

ing very ſtrong, and ſeveral of the Ships of the Admiral's, Rear Admiral *Byng*'s, and Rear Admiral *Dilk*'s Diviſions being forced to go out of the Line for want of Shot, the Battle fell very hard on the Admiral's own Ship the St. *George*, and the *Shrewsbury*. This being obſerved by Sir *Cloudeſly Shovel*, he immediately back'd Aſtern, and endeavour'd to Reinforce the Admiral, which had two uſeful Effects; firſt it drew ſeveral of the Enemies Ships from the Center, which was ſo hard preſs'd by a great Superiority both of Strength and Number, and drove them at length out of the Line. For after they had felt the force of this Supply from ſome of the Ships of Sir *Cloudeſly Shovel*'s Diviſion, which were A-ſtern of him, they found it not ſafe to advance along his Broadſide; but being clean, and better Sailers, they ſet their Sprit-Sails, and with their Boats a-head Towed from him, without giving him the Opportunity of Exchanging a ſingle Broadſide with them. Theſe were the Vice Admiral of the *White*, and the Rear-Admiral of the Enemies *White* and *Blue*, with part of their Diviſions: And though Count *de Thoulouſe* was ſuſtain'd by the beſt Ships and Commanders in the Center, and aſſiſted by the greateſt Officers for Quality, Experience and Courage, who were plac'd as Councellors near him, yet he ſhared at length the like Fate with his Van, and about ſeven of the Clock was obliged to Tow out of danger. The *Dutch* in the Rear engag'd the Enemy with the greateſt Courage and Animoſity, and being better provided with Ammunition, continued firing ſomewhat later than the reſt; but Night coming on, put a period to the Diſpute on that ſide alſo. The Battle being ended with the Day, both Fleets kept their Line at ſome diſtance from each other: In the Night the Wind ſhifted to the Northward, and in the Morning to the Weſtward, which gave the *French* the Wind of the Confederates, and an Opportunity to have renewed the Fight with Advantage; but both Fleets lay by all Day, within three Leagues of one another, repairing their Defects, and at Night the Enemy fled and ſtood to the Northward. On the 26th of *Auguſt* N. S. in the Morning, the *French* were got four

or five Leagues to the Weſtward of the Confederates, but a little before Noon the Latter had a Breeze of Wind Eaſterly, with which they bore down on the Enemy till four a Clock in the Afternoon, when the *French* ſtretching themſelves into a Line of Battle, the *Engliſh* and *Dutch* did the ſame, and brought too, and lay by with their Heads to the Northward all Night. The Confederates brav'd the Enemy only to conceal their own Weakneſs; for to ſpeak the Truth, neither of the Two Fleets had any Inclination, or, indeed, was in a condition to come to a ſecond Engagement; Wherefore they were both glad to loſe ſight of one another the next day, when the Wind being ſtill Eaſterly, hazy Weather, the *French* kept on their Courſe towards the *Spaniſh* Coaſt, and the Confederates made uſe of the ſame opportunity to bear away to the Weſtward, and ſo got into *Gibraltar*. Tho' both Parties claim'd the Victory, yet 'tis certain, the *Engliſh* and *Dutch* had the better Title to it; as well, becauſe the Enemy loſt more Men and Officers, as that it diſabled the *French* Fleet from aſſiſting the *Spaniards* in Retaking *Gibraltar*, which was carrying their point. Sir *Gorge Rooke* having ſtaid eight days at *Gibraltar* to refit, and ſupply'd that Place with Men and Proviſions, ſail'd from thence the 4th of *September*, (N. S.) and return'd home with the great Ships, leaving behind him Sir *John Leake*, with a Squadron of 18 Men of War, both for the defence of the Coaſt of *Portugal*, and to be in a readineſs to ſuccour *Gibraltar*, if there ſhould be occaſion. About a Month after, Sir *George Rooke* arrived at *Spithead*, without the loſs of a ſingle Ship in the whole Courſe of his Voyages.

The Courts of *France* and *Spain*, taking the loſs of *Gibraltar* mightily to Heart, as well, for that the Confederates were Maſters of one of the Keys of that Kingdom, as that it ſerv'd for a ſtanding Proof of the Advantages gain'd by the *Engliſh* and *Dutch* Fleets in the late Engagements, reſolv'd to Wreſt it out of their Hands; in order to which, the Marquis *de Villadarias* being Reinforc'd with 4000 Men from the *French* Fleet and Gallies, did formaly Beſiege *Gibraltar*:

braltar. While Sir *John Leake* and Rear Admiral *Duſſen*, to confirm the Honour of their Arms, reſolv'd in a Councli of War to Sail to its Relief.

Accordingly, on the 5th of *November*, with a Squadron of 13 *Engliſh* and 6 *Dutch* Ships of good Force, they ſail'd out of the River of *Lisbon*, and arriv'd the 9th in the Bay of *Gibraltar*, where they found a *French* Frigat of 42 Guns, one of 24, one of 14, a Fireſhip of 16, a Ship laden with Bombs and Granadoes, 2 *Engliſh* Prizes, and a *Tartane*, which upon their Arrival the Enemy drew cloſe to the Shoar, and ſet on fire.

Though this ſeaſonable ſupply greatly ſtrengthen'd and encourag'd the Garriſon, yet it was concluded from the vigorous attempts of the Beſiegers, the Place cou'd not hold out without a further Relief; which being debated in the Council at *Lisbon*, it was there unanimouſly reſolv'd, that the preſervation of *Gibraltar*, being of the higheſt importance, no means ſhould be neglected to oblige the Enemy to raiſe the Siege: To which end the Batallion of *Engliſh* Guards, lately arriv'd from *England* with other Forces, were order'd to ſail thither forthwith, under the Convoy of 4 *Engliſh* Frigats. In the mean time, Sir *John Leake* and Rear Admiral *Vander Duſſen*, (who had given the Garriſon all the Aſſiſtance poſſible) having receiv'd advice, that Monſieur *de Pontis* was coming out of *Cadiz* with 22 Men of War, thoſe two Admirals thought it proper to quit the Bay and ſtand to the Eaſtward in ſight of the Place, that they might be enabled to take ſuch Meaſures as ſhould be thought neceſſary: And ſoon after Sir *John Leake* receiving Letters from the Lord Ambaſſadour *Metheuen*, importing that it was adviſable for him to meet the Succours that were coming from *Lisbon*, that Admiral made all poſſible Efforts to repaſs the *Streights*; but was prevented by a ſtrong Weſterly Wind, which had like to have occaſion'd there being intercepted: For when they came the length of Cape *Spartel*, thinking themſelves ſecure, they diſcover'd 22 Sail of Men of War with *Engliſh* and *Dutch* Colours, which they judg'd to be Vice-Admiral *Leake*, and Rear-Admiral

ral *Vander Duſſen*, whom they expected to meet thereabouts. Upon this Suppoſition they kept their Courſe in order to join them, but by good Fortune they were becalm'd. They put their Boats to Sea on both ſides to Tow the Ships; but the *Engliſh* obſerving that the Men of War ſtretch'd themſelves, and endeavour'd to make a half Moon to ſurround them, they made a private Signal, which Sir *John Leake* would have underſtood. This Spoil'd the meaſures of the *French*, who were thereby diſcover'd, and put up their own Colours, and endeavour'd to fall upon the Tranſports; but they got off by means of their Oars, and the Night coming on, they got away by favour of a ſmall Breeze from the South Weſt. Of the four Tranſport Ships that were miſſing, one only was taken by the Enemy, and carried into *Cadiz*; and the other three return'd to *Lisbon*, as did alſo the *Greenwich* and *Roebuck*. Notwiſtanding this unhappy Accident, the beſieged receiv'd a Reinforcement of 1970 Men. On the other hand, the *French* ſeeing freſh ſupplies pour'd in in this manner; reſolv'd to make one vigourous puſh for all, and being likewiſe themſelves reinforc'd with 2000 *French*, they made a furious aſſault, if poſſible to carry the Town at once, foreſeeing elſe, that 'twou'd be impoſſible to continue the Siege long; but though they took the Garriſon at a little ſurprize, yet they were ſo vigorouſly repuls'd, that they were fain to leave a good number of their Men behind them, and a Capt. four Lieutenants, and forty Men were made Priſoners.

Sir *John Leake*, was by this time got to *Lisbon* with the Fleet under his command; when recieving advice that Monſieur *Pontis*, with 14 *French* Men of War and 2 Fireſhips, had caſt Anchor before *Gibraltar*, it was reſolv'd that another ſupply ſhould go on Board the Fleet, which being reinforc'd by the Squadron under Sir *Thomis Dilks*, ſail'd out of the River of *Lisbon* the 6th of March (N. S.) conſiſting of of 23 *Engliſh*, 4 *Dutch*, and 8 *Portugueze* Men of War. The 9th the Admiral came in ſight of Cape *Spartel*, but not having day enough to reach *Gibraltar*, he lay by to prevent being diſcover'd from the *Spaniſh* Shoar, to the end he might ſurprize the Enemy

in

in the Bay, early the next Morning. The Weather continued fair till after Midnight, when the Wind ſhifted from the Weſt North-Weſt, to the South-Weſt, with much Rain and thick Weather, which hindred his making Sail ſo ſoon as he intended. About half an hour paſt five in the Morning, the Squadron got within two Miles of Cape *Carbaritta*, and diſcover'd only five Sail making out of the Bay, at whom a Gun was fired from *Europa* Point: Whereupon concluding that the Gariſon was ſafe, they gave Chaſe to thoſe five Ships, which proved to be the *Magnanimous*, a *French* Man of War of 74 Guns, the *Lys* of 86, the *Ardent* of 66, the *Arrogant* of 60, and the *Marquis* of 56. At firſt the Enemy made for the *Barbary* Shoar; but ſeeing our Fleet gain'd upon them, they ſtood for the *Spaniſh* Shoar. At 9 a Clock Sir *Thomas Dilkes*, on Board her Majeſty's Ship the *Revenge*, together with the *Newcaſtle*, *Antelope*, *Expedition*, and a *Dutch* Man of War, got within half Gun-ſhot of the *Arrogant*, and after a very little Reſiſtance ſhe ſtruck, the *Newcaſtle*'s Boat getting in firſt on Board her. Before One a Clock the *Ardent* and the *Marquis* were taken by two *Dutch* Men of War; and the *Magnanimous*, with the *Lys*, run aſhoar a little to the Weſtward of *Marbella*: The former, which the Baron *de Pontis* was on Board of, run aſhoar with ſo much force, that all her Maſts came by the Board as ſoon as ſhe ſtruck. After this Engagement the Admiral return'd to *Gibraltar*; but being hinder'd by the Weſterly Winds, and Stormy Weather, it was the 30th of *March* before he reach'd that Bay: Where he found the *French* diſcourag'd, by all theſe ill Succeſſes, ready to retire from before it. And thus the Siege of that Important Place, after 6 Months Toil, was rais'd, by the obſtinate reſiſtance, and valour of the *Engliſh*, eſpecially the Marines, under the Conduct and Vigilance of the Prince of *Heſſe*, and by the ſeaſonable Relief, which from time to time was induſtriouſly brought them by Sir *John Leake*.

It is now time we ſhould return to *England*: On the 24th of *October* the Parliament met at *Weſtminſter*, where the firſt thing they took into conſideration, was the Faithful and ſucceſsful ſervices of the Land and Naval

Naval Forces, and paſs'd an Unanimous Vote, that Her Majeſty ſhould be Addreſs'd, that ſhe would be pleas'd to beſtow her bounty upon the Seamen and Soldiers; with which Addreſs Her Majeſty expreſs'd her ſelf highly pleas'd, and promis'd to give Directions accordingly. This done, the Commons went chearfully upon the Publick Buſineſs, and having examin'd the ſeveral Eſtimates relating to the Sea and Land-Forces, unamimouſly voted the neceſſary ſupplies for the Year enſuing; but this good Harmony and Correſpondence was ſoon obſtructed by the Reviving again the *Conformity Bill*, which tho' vehemently oppos'd by all the Moderate Party, was however brought in, read a firſt time, and carried to be read a 2d time: But however thoſe who puſh'd the Bill forward ſo vehemently, apprehending, that if it was ſo warmly oppos'd even in the Houſe of Commons, it would never get a Paſſage by it ſelf thro' the Houſe of Lords, and therefore reſolv'd to attempt the Tacking of it to the Money Bill; but they were here likewiſe greatly diſapointed, for above a Hundred of thoſe, who before us'd to Vote with them, Deſerted their Party, ſo that the Negative prevail'd by a Majority of 116 Voices: And ſo this Bill was entirely loſt, and ſoon afterwards flung out of the Houſe of Lords.

Another thing took up the Buſineſs of the Lords Houſe, and that was the L. *Haverſham*'s Speech; which was uſher'd in with great Pomp, and ſpoke as follows:

My Lords,

'I AM very ſenſible to what Cenſure he expoſes 'himſelf, who Addreſſes yonr Lordſhips in ſuch a 'Time; but this being the only proper Place for me 'to mention what I have to offer of Complaint, I the 'more confidently hope your Lordſhips forgiveneſs.

'I would be far from detracting or leſſening any 'Man's juſt Praiſe, and do really believe that the 'wonderful *Victory* obtain'd over the *French*, under 'the Conduct and Command of Prince *Eugene*, and 'the Duke of *Marlborough*, if conſider'd in all its Circumſtances, eſpecially the *unuſual Secrecy* with 'which the Orders were executed, is the greateſt a-'ny Hiſtory can ſhew us. 'And

'And though our Succeſs at Sea was not equal to 'what it was at Land, yet the *Engliſh* Courage and 'Bravery ſhew'd it ſelf the ſame. I cannot, indeed, 'Congratulate Sir *George Rooke*'s *entire Victory over the* 'French, but I can, and do moſt heartily, his *Safe* 'Deliverance from them, and that with a Fleet *ſo un-* 'provided, and *ſo weaken*'d by five or ſix *Dutch* Ships 'being called Home a little before the Engagement, 'ſeems to me a conſiderable piece of Service. To ſay 'more, would look like Flattery; and to ſay leſs, 'would be Unjuſt. *My Lords,*

'The Navy of *England* is its Glory, and its Guard; 'tis that which ſhould Protect our Trade, and Se- 'cure our Coaſts. Your Lordſhips were ſo ſenſible 'of this, that you recommended theſe two Heads to 'Her Majeſty, in two Addreſſes laſt Seſſions, *full of* 'Reſpect, *and yet very preſſing*; but we have been ſo 'far from receiving the Fruits we expected from your 'Lordſhips Care, that whoever will but take a view 'of what was done laſt Summer, will ſee our Coaſts 'left naked, and our Trade expoſed, St. *Paul* riding 'in the Channel, and our Merchants ſo far from be- 'ing Proteſted, that even our Men of War them- 'ſelves are taken in our Soundings. And what ſharp- 'ens our Misfortunes, is to ſee our Enemies making 'uſe of our own Ships againſt us, and to be provided 'with their very Naval Stores from us, as the Count 'de *Thouloufe*'s Squadron was, if an *Eye-witneſs there-* 'of, *now at the Door, may be believed. My Lords,*

'Let our Victories be what they will Aſhoar, while 'France is thus Powerful at Sea, and more ſo daily, not 'only by his new Additions, but by *our too eaſie Con-* 'ceſſions, as were thoſe of St. *Chriſtophers, Newfound-* 'land, and *Hudſon*'s-*Bay*; while our Trade is thus 'neglected, and your Lordſhips faithful and provident 'Advice baffled, by the *dark Counſels of No Body* 'knows who, *England*, in my Opinion, can never be ſafe.

'Another Thing that I ſhall take notice of, is the 'preſent State of the Coin; and I dare venture to ſay, 'that if ſuch *vaſt Exportations* be much longer conti- 'nued and allowed, we ſhall have very little left at 'Home; France *may be beaten, but* England *muſt be*

'*beggar'd.*

'*beggar'd.* I know we are not ſo ſenſible of this, 'becauſe there is a *Paper Money now Current*; but 'ſhould there ever happen to be a ſtop there, I pray 'God preſerve us from *ſinking all at once.*

'The laſt thing that I ſhall mention to your Lord-'ſhips is with Relation to *Scotland:* I think, I need, 'but lay before your Lordſhips the true matter of 'Fact to convince you how much it deſerves your 'Conſideration. A little before the laſt ſitting down 'of the Parliament there, it was thought neceſſary to 'make ſome Alteration in that Miniſtry, and accord-'ingly ſome were diſplaced to make room for others, 'taking ſome from each Party, who might influence 'the reſt: Things being thus prepared, and a *motly* '*Miniſtry* ſet up, the Parliament met about the 6th 'of *July* laſt; and tho' the Succeſſion to the Crown 'in the Proteſtant Line was the *main thing* recom-'mended with the greateſt Earneſtneſs by the Queen 'in her Letter to them, yet was it ſo *poſtpon'd and* '*baffled*, that at length it came to nothing, partly be-'cauſe the Miniſtry was ſo weak and divided, that 'inſtead of doing every thing, they could do nothing; 'and partly from a received Opinion that the Suc-'ceſſion it ſelf was never Sincerely and Cordially in-'tended, *either by the Miniſters there, or by thoſe that* '*managed the* Scotch *Affairs here.*

'This is Evident; for at the very opening of the 'Seſſion, My Lord Secretary himſelf diſtinguiſhes 'between *a Secret and Revealed Will*: And not only 'that, but upon the 4th Sederunt (as they call it) 'a motion was made for a *Bill of Excluſion*; I take it 'formally to be ſo, tho' it bears the Title of an *Act* '*of Security*, which was read the firſt time on the 7th, 'and ordered to lye on the Table till they heard from '*England*; and on the Tenth it paſt into a Law. *Nor* '*can any reaſonable Man believe that thoſe who promoted* '*a Bill of Excluſion there, or thoſe who here adviſed the* '*paſſing of it, could ever be really and cordially for the* 'Engliſh *Succeſſion.* I know there is an Exception in 'the Act it ſelf, but 'tis ſuch an one as might have full 'as well been left out; *for he that asks what he knows* '*before will never be granted, asks the Denial:* And

'yet

'yet this is not all, *But in this very Bill of Exclusion, as* 'I call it, *all the Heretors and Boroughs are not only Al-* 'lowed, *but Ordained (as the word is) to be Armed,* 'and *to Exercise their Fenceable Men once every Month.*

'This being the Fact (and I think I have stated it 'very truly) surely, *My Lords*, it is what deserves 'your Consideration, and I shall make but one or two 'Observations to your Lordships. There are two 'Matters of all Troubles, *much Discontent, and great* 'Poverty, and whoever will now look into *Scotland* 'will find them both in that Kingdom. 'Tis certain, 'the *Nobility and Gentry of* Scotland *are as Learned,* 'and *as Brave as any Nation in* Europe *can boast of*; 'and *these are generally discontented*: And as to the 'common People, *they are very numerous and very* 'stout, *but very poor: And who is that Man who can* 'Answer *what such a Multitude, so Arm'd, so Disci-* 'plin'd, *with such Leaders may do, especially since Op-* 'portunities *do so much alter Men from themselves?* 'And *there will never be wanting all the Promises, and* 'all *the Assistance* France *can give.*

'Besides this, *My Lords*, I take it to be of the last Dan- 'ger to *England, that there should be the least Shadow or* 'Pretence *of a Necessity to keep up Regular and Standing* 'Troops *in this Kingdom in time of Peace*, for I shall always 'be of the same Opinion, *That what has been, may be.*

'In short, *My Lords*, I think every Man wishes 'these Things had not been; and in my Opinion, 'there is no Man but must say *they shou'd not have* 'been. I shall end with an Advice of my Lord *Ba-* 'con's: *Let Men*, says he, *beware how they neglect or* 'suffer *matter of Troubles to be prepared, for no Man* 'can *forbid the spark that may set all on Fire.*

'If any thing I have said deserves it, your Lord- 'ships will take it into your Consideration; if not, 'I'm sure I ought to ask a thousand Pardons for so 'long Abuse of your Patience.

The Lords where variously affected with this Speech, which, tho' it was generally approv'd, as to what relates to the *Scotch* Affairs; yet it was no less unwelcome, than unexpected, to see the present Ministry reflected upon, to whose wise

wiſe Councils and Management the Nation ow'd its Proſperity at Home, and, in great Meaſure, its Succeſſes Abroad. However, this Speech was ſeconded by the Earls of *R*———*r* and *N*———*m*; the firſt of whom did, particularly, lament the ill Conſequences of the Exportation of the Coin, and inſiſted on the Neceſſity of putting a ſtop to that Evil. The Lord *T*———, who took this to be a Side-Wind Reflection upon himſelf, ſaid, 'That 'tho' it would not be difficult to demonſtrate, that 'there never was ſo great Plenty of Money in *England*, as at preſent, yet there was a ſure way to encreaſe that Plenty, and prevent the Exportation of 'Coin, and that was by Clapping up a Peace with '*France*: But then, added he very ſhrewdly, I leave 'it to the Conſideration of any wiſe Man, whether 'we will not thereby be ſhortly in Danger of loſing, 'not only all our Coin, but all our Land to Boot? The *Scotch* Buſineſs being the moſt material Part of the Lord *Haverſham*'s Speech, the 29th of *November* was appointed to conſider of it, upon which day the Queen went to the Houſe of Peers *incognito*, both to hear their Debates about that important Matter, and to prevent Heats by her Majeſtick Preſence. This had not all the deſired Effect: For ſeveral warm debates paſs'd in the Houſe. Her Majeſty, for the Reaſons abovemention'd, being ſtill preſent, the Grand Committee of the Peers come to theſe Reſolutions, 'That 'the beſt method to prevent the Inconveniences which 'might happen by the late Acts paſs'd in *Scotland*, 'was by making ſuch Laws here for that Purpoſe: Which Reſolutions being approved by the Houſe, the Judges were order'd to reduce them into Bills, one of which, for an entire Union with *Scotland*, was read a third Time, and paſs'd the 20th of *December*, and ſent to the Commons for their Concurrence; who preſently acquieſced therein: But becauſe we ſhall have occaſion to ſpeak more at large hereafter of the *Scotch* Affairs, we ſhall omit what other ſmall ſteps were taken during this Seſſion of Parliament, which was Prorogu'd the 14th of *March*, little elſe of Moment happening: But we ſhall find Action enough Abroad to employ us for ſome time.

Scarce

Scarce was the fury of the War over in one Part, but it began to revive again in another, for e'er we had well receiv'd the joyful News of Raiſing the Siege of *Gibraltar*, which had been a long and tedious Scene of Blood, the Duke of *Marlborough* was ready to take the Field again in *Flanders*: In order to which, his Grace ſet out for *Holland* the 26*th* of *March*, and arrived at the *Hague* 6 days after; and having regulated the Operations for the enſuing Campaign, he ſet out for *Maeſtrich*, where he viewed the *Engliſh* Troops encamp'd along the *Maeſe*, and on the 17*th* of that Month paſſed that River, and bent his March towards the *Moſelle*: On the 17*th* he arrived at *Coblentz*, from whence he went to *Raſtadt*, to confer with the Prince of *Baden*: giving orders in the mean time for the Troops to continue their March; and having ſettled Matters with the Prince, he arrived the 27*th* at *Triers*, and aſſembled all the Troops in that Neighbourhood: His Grace with the *Engliſh* paſs'd the *Moſelle* at *Igel*, and the *Dutch* and others, in *Engliſh* and *Dutch* Pay, paſs'd the *Saar* at the ſame time and join'd the *Engliſh*.

His Grace advanc'd by the moſt difficult Defile of *Tavern*, where it was expected, that Marſhal *Villars*, who with a numerous Army lay near *Sirk*, would have oppos'd his March, which he might have done with great Advantage; but he did not attempt it, ſo that the Confederates Encampt within a Mile of *Sirk*, and the next Morning they made a motion, and took the Camp at *Elſt*, Marſhal *Villars* retreating before them to *Conings-Macheren*, poſſeſſing himſelf of a very advantageous Camp, which he made yet ſtronger, by caſting up Entrenchments, and felling down Trees; ſo that 'twas impoſſible to attack him in that Poſt, with the leaſt probability of ſucceſs. Which indeed was not the Duke of *Marlborough*'s Deſign, for his Grace was advanced ſo far only to cover the Siege of *Saar-Louis*, which was to be carried on by a Detachment of Imperial Troops, that Prince *Lewis* of *Baden* had promis'd to bring from *Lauterburg*, and by ſome Forces in the Pay of *Eng-*

land and *Holland*. The Duke diſpatch'd frequent Expreſſes to quicken the March of thoſe Troops, and to exhort the Princes, who had promis'd to furniſh Artillery, Horſes and Waggons, to ſend the ſame with all Expedition; but all theſe lively remonſtances had no effect, and the Imperialiſts who were to have been on the *Rhine*, the 9*th* or 10*th* of *June*, were not arrived the 20*th*; nor was there either Horſes or Artillery provided.

In the mean time, the Forces of the States General being very much weaken'd by the Detachments ſent to the *Moſelle*, it was thought fit that the Army under the Command of Monſieur *Auverquerque*, ſhould ſtand on the Defenſive, and Entrench themſelves near *Maeſtrich*; expecting the *French* would be oblig'd to ſend a ſtrong Reinforcement to the *Moſelle*, but they were deceived in their Expectation, for the Enemy being inform'd how things paſſed on that ſide, reſolved to make their Advantage of it; and coming out of their Lines, they march'd and inveſted *Huy*, and made themſelves Maſters of the Town; and the next day ſtormed Fort St. *Joſeph*, but were vigorouſly repuls'd in 3 Attacks: Three days after they made themſelves Maſters of Fort *Picard*, and another called *Red-Fort*; and then batter'd the Caſtle with abundance of Fury: when the neceſſary Preparations for an Aſſault being made, and the Breaches ſo wide, that the defending the Place any longer ſeem'd impoſſible; the Governour beat a Parley, but could obtain no other Conditions, than that the Garriſon ſhould have the Honour to march out at the Breach with their Arms, and then lay them down, and ſurrender themſelves Priſoners of War.

The News of the taking of *Huy*, reaching the Duke of *Marlborough*'s Army, the Deputies of the States, repreſented to his Grace, that it was impoſſible to ſubſiſt any longer in his Camp, and that the *Germans* by their ſlowneſs having defeated all the Projects on the *Moſelle*, it was to no purpoſe to continue any longer in thoſe Parts, when the Army might be much better imployed in the *Netherlands*.

in

in ſtopping the Progreſs of the Enemy. So that in a Council of War held at *Triers*, it was reſolv'd, that the Confederate Army ſhould march back to the *Maeſe*, except 7000 *Palatines* in the Pay of *England* and *Holland*, who were left at *Triers*: According to this Reſolution, his Grace march'd for the *Netherlands* by the ſhorteſt way, and the *Imperial*, *Pruſſian* and *Wirtembergh* Troops moved towards the Upper *Rhine*.

Marſhal de *Villars* having now no Enemy to fear, made a Detachment to reinforce the Elector of *Bavaria*, and another to ſtrengthen Marſhal *Marſin* in *Alſace*; and advanced with the reſt toward the *Saar*: Upon his Approach the Governour of *Sarbruck* quitted the Caſtle, and blew up the Fortifications, and Monſieur *d'Aubach*, who commanded the *Palatine* Troops in *Triers*, by an unpardonable overſight, did the ſame, for even before any Enemy appeared in ſight, he deſtroyed all the Magazines the *Engliſh* and *Dutch* had at ſuch vaſt Expence erected there, blew up the Fortifications, burnt the Boats deſigned to make Bridges, and quitted that important Poſt. After which *Villars* marched to joyn *Marſin*, and in Conjunction with him, beat the Imperialiſts from the Lines of *Croon-Weiſſenburg*.

In the mean time the Duke of *Marlborough* by his diligent March, arriv'd time enough to ſave the Citadel of *Liege*, which the *French*, after the Reduction of *Huy*, had laid Siege to, ſo that the face of Affairs was immediately chang'd in the *Netherlands*, for the Enemy, upon advice of his Grace's Approach, ſent back their Artillery to *Namur*, and retired in haſt to *Tongeren*. On the other hand, the Duke of *Marlborough* continuing his March, arriv'd at *Maeſtrich*, the 27*th* of *June*, and having taken Meaſures with Monſieur *Auverquerque*, and the other Generals to march towards the Enemy, they decampt for that purpoſe, but the *French* thought fit to decamp from *Tongeren*, and retire nearer their Lines: On the 2*d* of *July* the Duke paſſed the *Maeſe* and advanced to *Haneff*, and the Forces commanded by

Monſieur *Auverquerque* march'd at the ſame time to *Theys* upon the *Jaar*: The Enemy having notice of this march, decamp'd in haſt, and retired into their Lines, having ſent away moſt of their heavy Baggage the Day before.

The *French* having thus ſecured themſelves within their Lines, the Confederate Generals thought fit to retake the Caſtle of *Huy* before they proceeded further; and to that end made a Detachment under General *Scholten* to inveſt that Place, while the Duke of *Marlborough* and Monſieur *Auverquerque* made each a ſmall motion to cover the Siege. Two days after the Batteries began to play againſt Fort *Picard*, and the Diſpoſitions being made for attacking it, our Men ſoon made themſelves Maſters of the Cover'd way, and were reſolutely climbing up the Fort, which the Enemy perceiving they fled into the Caſtle: They had quitted the Red-Fort two Hours before. The next day a Battery was brought to play againſt the Caſtle, and another was erected in Fort St. *Joſeph*, ſo that a conſiderable Breach being made, the Enemy beat a Parley, and demanded to march out and be conducted to *Namur*, which being refuſed them, they ſurrender'd on the ſame Conditions were granted to the *Dutch*, juſt a Month before.

After the Reduction of *Huy*, the Duke of *Marlborough* reſolv'd to undertake no other inconſiderable Action, and as nothing appear'd more Glorious and Advantageous in its Conſequence, than the attacking the Enemies Lines, his Grace ſent General *Hompeſch* to propoſe it to the States; who returned anſwer, that having an entire confidence in the Conduct and Prudence of his Grace, they left it wholly to him, to do whatever he ſhould think fit for the good of the Common Cauſe. Upon this the Duke held a general Council of War, wherein that Undertaking was debated, but nothing being reſolved on the firſt time, a ſecond Council was called; ſome of the *Dutch* Generals oppos'd it, but Monſieur *Auverquerque*, the Prince of *Heſſe*, Count *Noyelles*, and ſome others, gave unanſwerable reaſons why it ought to be

be undertaken; ſo at that time the Attack was entirely reſolv'd on. The Enemy were poſted along their Lines with near a 100 Battalions, and 146 Squadrons, and the Allies having 92 Battalions, and 160 Squadrons, the two Armies were pretty equal: It was therefore reſolv'd to make a Feint to divide the Enemies Forces; and accordingly the Army under Monſieur *Auverquerque*, made a motion on the other ſide the *Mehaigne*, and the Duke of *Marlborough* made a motion at the ſame time, as if he intended to ſupport Monſieur *Auverquerque* in the Attack of the Lines about *Meffelen*, where they were not ſo ſtrong as in other places: This Stratagem ſucceeded to wiſh, for theſe motions, particularly the paſſing the *Mehaigne*, gave great jealouſie to the *French*, ſo that they beſtow'd their chief attention on that ſide. Whereupon, the Duke having made the neceſſary Diſpoſitions, on the 17*th* of *July* about 4 in the Morning, his Grace gave order for the whole Army to get ready to march that Evening: And Count *Noyelles*, and General *Scholten* were order'd to advance with the two Bodies under their Command about 9 a Clock directly to *Wangen* and *Elixheim*, which two Poſts they were to attack, if the Poſture of the Enemy permitted it, and about 10 his Graces Army were to ſtrike their Tents, and follow, marching directly toward the Lines, where the two Bodies aforeſaid were to force their Paſſage.

The Darkneſs of the Night, ſomewhat puzzled the Guides, that conducted thoſe Detachmeats, ſo that 'twas half an hour paſt 4 in the Morning, and broad Day, before they arrived near the forementioned Poſts, which, according to Information, were found to be but thinly guarded. Count *de Noyelles* caus'd the Caſtle of *Wangh*, which defended a Stone-Bridge that was there on the *Geete*, to be attack'd: but the Enemy immediately abandon'd that Poſt; and gave an opportunioy to the Granadiers that were order'd upon that Service to march forwards, and attack the Barrier of the Line; which the Guard there did not defend much better than the other had done the

Caſtle of *Wangh*; and ſo the Troops enter'd the Line on that ſide, with little or no Oppoſition; although the Enemy had 12 Squadrons of Dragoons encamped behind *Ooſtmalen*, (within a Cannon ſhot of the Place, where the firſt Detachment entred) which immediately mounted their Horſes, but durſt not advance to defend their Barriers. At the ſame time, three Battalions poſſeſſed themſelves of the Bridge and Village of *Heiliſheim*, a quarter of a League from *Wangh*, on the Left, which was done with as little Oppoſition: Nor did Lieutenant General *Scholten* meet with greater Reſiſtance at the Villages of *Over-heſpen* and *Neer-heſpen*: So that being Maſters of thoſe Bridges and Barriers, and having made ſeveral other Bridges, the Horſe went over the ſame, and immediately form'd themſelves on the Height, extending their Right towards the Village of *Hackendoren*; and ſome Battalions drew up along the Line, and behind the Horſe. Whilſt the Workmen were buſie in making Paſſages through the Line, 10 of the Enemies Squadrons, and four Battalions, were perceiv'd between the Villages of *Gouchancourt* and *Eſmale*; but they gave time to the Confederate Forces to extend themſelves, endeavouring only to advance to the Village of *Elixheim*. The Count *de Noyelles* caus'd all the Troops he had with him to go over as faſt as poſſible: And thereupon the Duke of *Marlborough* arriving with the whole Army, his Horſe went over the Line with extraordinary Expedition, as the reſt had done, and ſo they all advanced towards the Enemy, who, by this time, were reinforced to the number of 50 Squadrons, and 20 Battalions, and advanced with great Reſolution behind the hollow Way, that goes up from *Elixheim* to *Tirlemont*. This oblig'd the Confederate Horſe to ſtop a few Minutes, till ſome Battalions advancing, lined the Hollow Way, and firing upon the Enemies Horſe, obliged them to retire beyond the Reach of our Muskets, and to form themſelves before their Infantry, which gave an opportunity to our Horſe to paſs the Hollow-Way.

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In the mean time, the Enemy cauſed eight Pieces of Cannon, with treble Barrels, to advance, with which they began to fire briskly on our Horſe; but the Duke of *Marlborough* being come in Perſon at the Head of his Horſe, and ſeeing that the Enemy were continually receiving freſh Reinforcements, and that their Infantry was going to join them, his Grace reſolv'd to charge them with the Horſe only, which was done with that Vigour and Courage, that the Enemies Cavalry being ſoon broken, and put to the Rout, they went to rally themſelves behind their Infantry, whilſt our victorious Horſe poſſeſſed themſelves of the Cannon, and Ammunition Waggons. The Enemy being reinforced with ſome Squadrons, and having interlined ſome Infantry with them, mov'd again towards the Confederates, but the latter being likewiſe reinforced, and ſuſtained by our Infantry, advanced to meet the Enemy. The Right of our Horſe coming too near the Hedges of the Village of *Eſmale*, which were lined with ſome of the Enemies Foot, were ſomewhat diſorder'd by their Fire, and oblig'd to ſhrink back; but having, ſoon after, extended themſelves more towards the Right, to make way for ſome Battalions that march'd againſt the Enemies Foot, they both charged with that bravery and briskneſs, that the Enemies Horſe was ſoon defeated, and cut in pieces; and their Infantry being abandoned in the Plain, had much ado to get away in Diſorder, between the Villages of *Heiliſheim* and *Gotſhoven*, where they met with the reſt of their Army, and formed themſelves as well as they could. In the mean time, the Duke of *Marlborough* cauſed all the reſt of his Troops to enter the Lines, and extended the Right of the Army towards the Great *Geete* before *Tirlemont*, in which Town the Enemy had left the Battalion of *Monluc*, which upon the firſt Summons, ſurrendered Priſoners at Diſcretion. In this Action the Marquis *d'Alegre*, and the Count *de Horn*, Lieutenant-Generals, a Major-General, two Brigadiers-General, and ſeveral other Officers of all

Ranks, beſides abundance of private Men, were taken Priſoners. We took alſo ten Pieces of Cannon, nine Standards, four Colours, and one pair of Kettle-Drums.

After the Defeat of the Body commanded by Monſieur *d'Alegre*, the Elector of *Bavaria*, and Mareſchal *Villeroy*, conſulted for the Safety of the reſt of their Army; and decamping, in the ſight of the Confederates, paſs'd the great *Geete*, and the *Dyle*, with all imaginable Dilignce, and poſſeſſed themſelves of the ſtrong Camp at *Park*, with their Left at *Rooſelar*, and their Right againſt the Height of *Louvain* at *Wincſelen*: From whence the Elector writ the following Letter to the Baron of *Malkneckt*, his Favorite: Dear Baron, *God forgive thoſe who ſuffered themſelves to be ſurpriz'd. The whole Army is here, and the Evil is not ſo great as to be paſt Remedy. The Country of* Brabant *may be ſaved, as well as* Antwerp, *if it pleaſe God. I am well, but exceedingly fatigued.* On the other hand, the Duke of *Marlborough*'s Army paſſed the great *Geete*, and encamped with the Right at *Rosbeeck*, and the Left behind *Tirlemont*, and that of Monſieur *d'Auverquerque* extended it ſelf with the Right to *Grain*, and the Left to *Elixheim*: The next Day the Confederate Army mov'd, and in their March took above 1200 Priſoners, who could not follow the precipitate March of the Enemies Army. The Duke encamped the Evening under the Cannon of *Louvain*: But tho' by this ſucceſs, the Enemy were forced to abandon *Dieſt*, *Sichem*, *Arſchot*, and ſome other ſmall Places, yet the ſuffering the *French* to poſſeſs themſelves of the ſtrong Camp at *Parck*, hindred the farther progreſs of the Campaign. For the Duke afterwards endeavouring to force ſome Poſts on the *Dyle*, could not ſucceed therein; ſo that the Confederate Army marched from thence to *Meldert*. The Enterprize on the *Dyle* appearing impracticable, the Duke ſent General *Hompeſch* to propoſe a new Project to the States: which their High and Mightineſſes approv'd, and directed their Deputies in the Army to make two or three Marches, without

without calling a Council of War, to favour the Design form'd by his Grace. While Baron *Spaar* on the other hand, ſhould make a Diverſion by attacking the Enemies Lines in *Flanders*, which he ſucceeded in, poſſeſs'd himſelf of four Forts, took ſeveral Officers and 300 Men Priſoners; but having advice that the Enemy were advancing toward him with a ſuperiour Force, he retir'd, carrying away with him ſeveral Hoſtages for the payment of Contributions.

In the mean time the Duke having left two Battalions at *Tirlemont*, and as many at *Dieſt*, for the ſecurity of thoſe Places, march'd on the 15*th* of *Auguſt* from *Meldert* to *Corbais*, Monſieur *Auverquerque* advancing to St. *Martins*: The next Day the two Armies continued their March to *Genap*, where they joyn'd, and the next day advanced to *Fiſchermont*, General *Churchill* being detach'd at the head of the Line, with 20 Battalions and as many Squadrons: In that Days march Monſieur *Auverquerque* caus'd one of the Poſts of the Enemy to be attack'd, by a Detachmeut, which beat the Enemy from the ſame, and purſued them above a League into the Wood of *Soignies*.

This ſudden March of the Confederates, kept the Enemy in continual Alarms, not knowing where the Storm might fall: However, the Elector of *Bavaria* and Mareſchal *Villeroy* only ſtretched out their Right to *Over-Yſche*, and kept their Left at *Nether-Yſche*, with the little River *Yſche* before them, by which they cover'd both *Louvain* and *Bruſſels*.

The next Morning by break of Day, the Confederates advanc'd thro' the narrow Road of *Hulpen*, where they were not a little ſurpriz'd to find no Enemy to defend that difficult Paſs. About Noon, the whole Army was drawn up in ſight of the Enemy, whom the Duke and Monſieur *Auverquerque* view'd, they were both of opinion to attack them immediately, before they had time to recover their Conſternation, which was apparent enough in their Army; but the Artillery not being come up, as ſome ſay, thro' the fault of General *Slangenburgh*, who

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deſign'd to thwart the Duke, (becauſe the Attack of the Lines was undertaken without either his Privity or Conſent) and having alſo, perſuaded ſome other *Dutch* Commanders to join with him, they made their unanimous Report to the Field Deputies, that the Enterprize was neither adviſable or practicable; whereupon the Deputies abſolutely refuſed to conſent to it, to whoſe opinion his Grace was obliged to ſubmit, though with a great deal of Regret, as appears by the expoſtulatory Letter he writ to the States General, which being made publick at the *Hague*, occaſion'd great murmurings among the People. On the other hand, the Deputies and Generals endeavour'd to excuſe themſelves, but yet it was the general opinion, That more deference ought to have been paid to the Dukes Advice, and that his Voice alone ought to have weigh'd more than all the reſt, conſidering the ſervice he had done them; and that he had likewiſe an Army ſuperiour to the Enemy, and fluſh'd with the Victory of *Bleinheim*, and the late attempt upon the Enemies Lines.

This hopeful Project being thus induſtriouſly diſappointed, the Army decamp'd the next Day, and the Duke returned to *Corbais*, and Monſieur *Auverquerque* to St. *Hubert*; and four Days after both Armies march'd and encamp'd together, and the Day following made a Detachment to Beſiege *Sout Leeuw*, a little Town ſcituated in a Moraſs, and the chief defence of the Enemies Lines: The Place was inveſted the 29*th* of *Auguſt*, and a Week after the Garriſon ſurrender'd Priſoners of War, before the Batteries had begun to fire.

The Duke having cauſed the Lines from thence to *Waſſeigne* to be levell'd; and *Tirlemont* to be diſmantled, he paſs'd the *Demer*, and encamp'd at *Arſchot*: Upon whoſe Approach the Enemy quitted their old Lines, and retired into their new ones, between *Baeſchot* and *Wechteren* on the *Demer*, where they could not be attack'd. Here his Grace continued for ſome Days, to give time to carry on the Fortifications of *Dieſt*, *Haſſelt* and *Tongeren*, where Garriſons

risons were to be left during the Winter; and then decamp'd and march'd to *Harenthals*, where the Duke left the Army and went to the *Hague*, and having had several Conferences with the Pensionary, return'd 3 Days after to *Harenthals*; from whence the Army decamp'd and march'd to *Oostmalen*, and after some other necessary Marches to that end, the Count *de Noyelles* was order'd to invest *Sandvliet*, and the next Day his Grace went to give his Directions for the carrying on the Siege, and from thence set out for the Courts of *Vienna*, *Berlin* and *Hanover*, to negotiate several Matters of great importance. The Town of *Sandvliet* made no long resistance, for in 5 Days a sufficient Breach being made, the Enemy beat a Parley, and surrendered Prisoners of War.

While the Allies were employed in the Siege of *Sandvliet*, the *French* made a Detachment and surprized *Diest*, and made 4 Battalions and a Regiment of Dragoons Prisoners therein, which was look'd upon as a great over-sight somewhere. And this put an end to the Campaign in *Flanders*.

The Emperor having expressed great dissatisfaction on the unhappy Miscarriages on the *Moselle*, dispatch'd immediately General *Gronsfelt* and Count *Wells* to Prince *Lewis* of *Baden*, to expostulate the Matter with him, and endeavour to redress several Abuses on that side: On the other hand, Prince *Lewis* finding that his Reputation suffered on that Account, publish'd a kind of Manifesto to clear himself; but the same reflecting on a Great Man, was industriously suppressed. In the mean time the Imperial Army continued at *Lauterburgh*, in which advantageous Post the Mareschal *de Villars* did not think fit to attack them. He advanced, indeed, about the beginning of *July* to *Croon-Weyssenburg*, took part of the Garrison Prisoners of War, came in sight of the Imperial Army, and made some Attacks, but found all the Posts so well guarded, that after having consumed all the Forage between the *Lauter* and *Landau*, demolish'd the Walls of *Croon-Weyssenburg*,

burgh and the Lines about that Place, he retired towards *Haguenau*. The Germans seem'd very little concern'd at these Motions; for Prince *Lewis* did not think fit to quit *Swalbach* till the latter end of that Month, and the *Prussian* and *Palatine* Troops, which had been so often ordered to joyn General *Thungen*, and were afterwards countermanded, remained useless. Prince *Lewis* having received the Confirmation of his Place of Generalissimo of the Forces of the Emperor, and the Empire, set out at last for *Mentz*, and having had a Conference with that Elector, the Sieur *d'Almelo*, Deputy of the States, and some other Persons of Note, declared his Intention to repair to the Imperial Army at *Lauterburgh*. During this fatal Lethargy of the Empire, the *French* not only razed the Lines about *Triers*, but besieged and took *Homburgh*; the Palatines having surrendered that Place upon Articles.

The Mareschal *de Villars* having passed the *Rhine*, General *Thungen* did the like: and on the 12*th* of *August*, (*N.S.*) Prince *Lewis* of *Baden* arrived in the Camp at *Stohlhoffen*. His Highness having taken a Review of the Army the 14*th*, and held a Council of War the 16*th*, resolved to advance the Night following directly towards the Enemy, who were very advantageously encamp'd on the same Ground which the Mareschal *de Turenne* once chose for a safe Camp, having the *Rinceerloch* before them, the River *Kintzig* in their Rear, Morasses and Hills on their Right, and the *Rhine* on their Left. But the Mareschal *de Villars*, on his Highnesses Approach, retired under the Cannon of *Kehl*, and a few Days after repassed the *Rhine*. The 22*d* the Prince of *Baden* repassed that River with his Army, leaving the Count *de la Tour* with 12000 Men to guard the Lines of *Stohlhoffen*. The 28*th* he advanced near to *Pfaffenhoven*, resolving to attack the Lines of *Haguenau* in three Places, notwithstanding he had Advice that the Enemies Army was at hand, to sustain their Troops that guarded those Lines. His Highness first took a view of them, and then commanded the Count

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de Merci to attack, with the Horſe, on the Left of *Pſaffenhoven*; while the Huſſars ſhould attack higher, and the Grenadiers on the Lower *Modern*. The Enemy made ſome Reſiſtance, but the Count *de Merci* attacking them with great Vigour, they retired, and the Imperialiſts took Poſt in their Lines. The Count *de Merci* advancing a little beyond the Lines, perceived the Enemies whole Army in Battalia, whereupon he ſent to the Prince of *Baden* for two Regiments of Horſe, who immediately order'd thoſe of *Merci* and *la Tour* to haſten to him, and himſelf advanced with part of the Army to ſupport him. The Mareſchal *de Villars* had detach'd fourteen Squadrons to fall upon the Count de *Merci*, but they ſeeing the Imperial Army advancing, retired to their Army. The taking of theſe Lines coſt the *Germans* no more than one Lieutenant, and 16 Soldiers; whereas 'twas reckoned the Enemy had 3 or 400 Men killed or taken. The Mareſchal *de Villars* encamped that Night, and the next Day, with his Right at *Haguenau*, and his Left at *Biſweiler*; but the Prince of *Baden* advancing the 30*th* to attack him, or to cut him off from *Strasbourg*, he thought beſt to retire towards the laſt Place. On the other hand, the Duke of *Marlborough* having countermanded the *Pruſſian* Troops that were marching for *Brabant* from the *Rhine*, and ordered them to reinforce the Prince of *Baden*, that he might be perfectly able to execute the Deſigns he had projected; thoſe Troops repaſſed the *Main* near *Mentz*, the 2*d* of *September* (*N. S.*) to march up to him.

The Imperial and *French* Armies having been in ſight ſeveral times, and drawn up in Battalia, 'twas expected there would have happened an Action: But the Mareſchal *de Villars* having had Advice of the Approach of 10 Battalions, and 20 Squadrons of the Troops of the King of *Pruſſia*, to reinforce Prince *Lewis*, that General thought fit the 13*th* of *September* (*N. S.*) in the Night, to decamp with great Secrecy, and retired towards *Strasburg*. Prince *Lewis* of *Baden* having been reinforced by the *Pruſſian* Troops,

Troops, likewiſe decamped the next day from *Daudorp*, and came to *Wierſcheim*, where he continued ſome time. The ſame Day nine Squadrons, and nine Battalions, with a Detachment of Grenadiers, under the Command of Count *de Friſe*, were ordered to beſiege *Druſenheim*: The Trenches were opened the 19*th*, and the Attacks were carried on with ſo much vigour, that the Garriſon, conſiſting of about 400 Men, ſurrendred the 24*th* Priſoners of War. That Place being pretty well fortified, and advantageouſly ſeated, proved very ſerviceable to cover the New Bridge the Imperialiſts had laid over the *Rhine*, and block up Fort *Louis*. The 28*th* *Haguenau* was inveſted by a ſtrong Detachment, commanded by General *Thungen*, having under him the Generals *Erffa* and *Arnheim*. The Infantry of the King of *Pruſſia*, the *Poliſh*, and that of *Wirtemberg* were employed in that Siege, with 20 Squadrons; and tho' the Place had a good Counterſcarp, a large Ditch full of Water, and a ſtrong Wall, yet the Garriſon made but a ſhort Reſiſtance; for they beat a Parley the 5*th* of *October* (*N. S.*) and offered to ſurrender upon Terms. None being allowed, but to be Priſoners of War, they reſolv'd to quit the Place in the Night, and retire to *Savern*, which they had an Opportunity to do; the Place, by the Over-ſight of ſome Generals, not being inveſted on that ſide. The Imperial Army was not able to make any farther Conqueſt: For though the Weakneſs of the *French* gave them a favourable Opportunity, yet the Seaſon of the Year did not permit them to retake *Homburgh*, and execute their further Deſigns: However they repaired and augmented the Fortifications of *Druſenheim*, *Haguenau* and *Pfaffenhoven*, and quartered moſt of their Troops in thoſe Places, and the Neighbouring in *Alſace*; whereby they cloſely block'd up Fort *Louis*.

In *Italy* there was a various Scene of Fortune acted this Year, which I take leave to mention; not ſo much, that it eſſentially concerns this Hiſtory, as becauſe it ſerves to clear up ſome Paſſages that give

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a Light to the better underſtanding of the whole, where, however tho' her Majeſties Arms were not directly employ'd, yet it muſt be own'd, ſhe was the chief ſupport of the Duke of *Savoy* at that time.

Prince *Eugene*, who very unwillingly undertook the Command of the Imperial Army, as being perfectly acquainted with the ill condition thereof; did however, at the inſtances of the King of the *Romans* ſet out from *Vienna*: Before his Departure, he had received Advice of the ſurrender of *Verue*, and that the Enemy were marching to Beſiege *Mirandola*, which he hoped to come time enough to relieve; and to that end having drawn the Troops together, he paſſed the *Adige* near *Verona*, the Enemy retiring on his Approach: He afterwards endeavoured to paſs the *Mincio*, but found it impracticable, and receiving advice that *Mirandola* was ſurrendered, he ſent a Detachment to reinforce his Troops in the *Breſcian*, and march'd with the reſt about the *Lake di Guarda*.

In the mean time, the Duke of *Savoy* was reduced to great ſtraits, *Verue* was loſt; and *Chivas*, the only Poſt left to cover *Turin*, was at this time Beſieged by the Duke of *Vendome*, which made Prince *Eugene* puſh the more reſolutely, either to relieve him, or to make a favourable Diverſion; and therefore he advanced to the *Oglio*, which River he paſſed in the face of the *French* Army, and poſſeſſed himſelf of ſeveral advantageous Poſts: This occaſion'd the Duke of *Vendome* to leave the Siege of *Chivas* to the Direction of the Duke *la Feuillade*, and return to the Army under the Grand Prior to oppoſe the Princes Progreſs: Being arrived in the *French* Camp, he reſolved to advance to *Romanengo*, as the moſt convenient Place to prevent Prince *Eugene*'s Deſigns; but upon his coming thither, he found the Imperialiſts had Poſted themſelves there before, which obliged *Vendome* to encamp within two Miles of the *Germans*. Both Armies continued long in their reſpective Camps, when Prince *Eugene*, conſidering the great ſuperiority of the Enemies Forces, laid a deſign

ſign to divide them, in which he ſucceeded ſo well, that having marched toward the *Adda*: and laid a Bridge over it; the Duke *de Vendome* marched to the other ſide of that River, and Poſted himſelf on the Heights, over againſt the Princes Army; leaving the Grand Prior on the other ſide, between *Treviglio* and *Caſſano*. Whereupon the Prince broke down his Bridge, and advanced to attack the Body under the Grand Prior; The *Germans* waded to the middle in Water to come at the Enemy, and attacked them with ſuch Bravery, that after an obſtinate Fight, they forced them to leave their Entrenchments, and retire to their fortified Bridge, which being too narrow for the paſſage of ſo great number, many leap'd into the *Adda* and were drowned. During this, the Duke *de Vendome*, with incredible Diligence had re-joyn'd the Grand Prior, and the Enemy firing ſo furiouſly from *Caſſano*, the Imperialiſts were oblig'd to retreat over the Canal to *Treviglio*: Mean while the *French* Poſted themſelves on the *Adda*, but made no ſhew of purſuing the *Germans*. The latter had near 3000, and the *French* above 5000 either kill'd, wounded or taken Priſoners. Prince *Eugene* himſelf received a ſlight Wound near the Ear. Both Parties claim'd the Victory, and made Rejoycings for it: but Prince *Eugene* ſeem'd to have the clearer Title to it, as remaining for ſome time Maſter of the Field of Battle, and preventing by this Blow the main deſign of the *French*, in Beſieging *Turin* for that Year. The Duke *la Feuillade* having after a long Siege taken *Chivas*, did indeed make a ſhow of inveſting it, but was never able to accompliſh any thing. When having made ſeveral Feints as if he would ſeem to have ſuch a deſign in view, he retired towards *Rivoli*, not with all the Honour in the World; which was a plain Indication that the *French* were not in a condition at that time to undertake that Siege; for otherwiſe they never had, or were like to have a fairer opportunity.

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Prince *Eugene* having continued a long time at *Treviglio*, and finding no poſſibility of paſſing the *Adda*, the Enemy having ſo ſtrongly fortified the Banks thereof: He decamp'd ſuddenly from thence, and by a Stratagem gained two Days March of thee Enemy; but the great Rains having ſwell'd the Rivers to a vaſt height, it hindred the Execution of his Project. So that after a few inconſiderable motions, both Armies retired into their Winter Quarters. On the other Hand, the more effectually to ſtreighten the Duke of *Savoy*, and to prevent him from receiving any ſupplies by Sea, the Duke of *Bermick* ſate down before the Caſtle of *Nice*, and took it after a long and brave Defence. Some time after the Garriſon of *Montmelian* being reduc'd to the greateſt extremity by a long Blockade, ſurrender'd likewiſe, which was the only Place in *Savoy* that remained in the hands of that Duke. 1705.

We ſhall now find the War in *Spain*, grow very conſiderable, and in which her Majeſties Arms making ſo great a Figure, it will oblige us to give a more particular Account of Tranſactions on that ſide. The vigorous Defence of *Gibraltar*, as it obliged the *French* and *Spaniards* to draw moſt of their Forces that way, ſo it gave the Confederates an opportunity to invade *Spain*, both upon the Frontiers of *Beira*, and thoſe of *Alentejo*: This however, was undertaken againſt the Advice of ſome Great Men, who inſiſted, not to have the Army take the Field till they were joyned by the Recruits expected from *England* and *Holland*, eſpecially ſeeing the Auxiliary Forces were ſo much weaken'd by the Detachments ſent to *Gibraltar*: But the Earl of *Galway* over-rul'd theſe Pretences, and by his indefatigable care, the preparations for an early Campaign receiv'd no conſiderable Delay from the Kings Indiſpoſition, or any other Impediments that were laid in the way, by ſome about him. Moſt of the Troops being drawn together near *Eſtremos*, they began their March the 24th of *April* (*N. S.*) and advanced in ſight of *Albuquerque*, making themſelves Maſters of the Town of *Vin-*

1705. cente: Immediately after which the Army moved again, and on the 2d of *May* invested *Valencia d'Alcantara*: The 6th the Batteries began to play against the Place, and with such success, that in two days the Breach was wide enough for an Assault; and the Governour still refusing to treat of a Capitulation, it was resolved to Storm the Place: Accordingly the next Day the Breach was mounted by two Tercias of *Portugeze*, and two Regiments of *English* and *Dutch*. The Fight was obstinate for some time, till the *Spaniards* unable to endure the fury of the Confederates any longer, retired into the Castle, where they soon hung out a White Flag, and the Governour offer'd to Capitulate, but while those who were sent out, were proposing the Terms, the Soldiers within Mutined, and opened their Gates; whereupon the Confederates enter'd, and made themselves Masters of the Place, and the Garrison, which consisted of 700 Veteran Foot, Prisoners of War. From hence the Army decamp'd the 14th of *May*, leaving a sufficient Garrison for the security of *Alcantara*, and came the 15th before *Albuquerque*, which they invested the next Day. The Generals having marked out the Places for the Batteries, and given the necessary Directions for the Attack, two Regiments were ordered to possess the Suburbs. The same Evening the Besiegers began to work on a Battery of 6 pieces of Cannon, and a Line of Communication, and the next Morning to batter the Place very furiously, but with little success, by reason of the thickness of the Wall. Some other Batteries were raised, and the Miners fix'd to the Walls, and tho' nothing was omitted to push the Siege on with vigour, yet it was the 20th before the Breach was any thing practicable, at what time the Besiegers beat a Parley, and sent 2 Officers out to propose a Capitulation for the Town; the Garrison intending to retire into the Castle: The Earl of *Galway*, who commanded that Week, rejected these Propositions with scorn, and threaten'd to put them all to the Sword if they did not surrender both the Town and Castle;

ſtle; which Anſwer being reported to the Gover- 1705.
nour, and the Beſiegers preparing to renew their Fire, they ſoon return'd with a civiler Meſſage, and ſurrender'd the Place, tho' upon Honourable Terms. The next day a Trumpeter, whom the Earl of *Galway* had ſent to the Enemy ſome time before, returned to the Camp, and brought advice, that the Mareſchal *de Teſſe* with 6 Regiments of *French* Cavalry, and 3 of *Spaniards*, was encamp'd within 3 Leagues of the Confederates. Whereupon a Council of War was held, but without coming to any Reſolution, however the Army decamp'd from *Albuquerque*, and at the ſame time an Expreſs came from *Lisbon*, with orders to the Generals to march into the Province of *Beira*, and joyn the Marquis *Das Minas*: The Earl of *Galway* and General *Fagel* oppoſed it, and ſhew'd that the Court had been ſurpriz'd, or elſe they would never have ſent an Order, which if they obey'd, would ruin the Army by an unneceſſary March of above 50 Leagues in that violent hot Seaſon, and beſides would leave all the Places in *Alentejo* expoſed to the Enemy. Their Reaſons were ſo plain and convincing, that the Conde *da Galveas*, and other *Portugueze* Generals, were of the ſame Opinion, and ſent back the Expreſs with an account of the Reaſons which obliged them to continue in thoſe Parts. Upon this the Army advanced to St. *Salvador*, where General *Fagel* propos'd to march with 8000 Men in the Night, and endeavour to ſurprize the Enemy; but this was oppos'd, under pretence that there was no certain Account of the ſituation of their Camp. After which, all the Generals advanc'd under a Guard of Horſe within a League of *Badajoz*, and obſerved that the Enemy were poſted on the other ſide the *Guadiana*, and ſeveral Councils of War were held about the Siege of *Badajoz*, but for ſeveral reaſons it was deferr'd: yet upon the Inſtances of the Earl of *Galway* and General *Fagel*, who promiſed to remove all difficulties, it was reſolv'd to draw near to that Place, and endeavour to diſlodge the Mareſchal *de Teſſe*, poſted with 500

1705. Horſe on this ſide the River; but the Enemy retired upon their Approach. The Army continued four Days in ſight of the Enemy, and made ſome Preparations to paſs the *Guadiana*, but could not get a ſufficient number of Boats, and wanting ſeveral neceſſaries for a Siege, it was reſolved to give over that Enterprize, and ſend the Army into Quarters of Refreſhment.

While the greateſt part of the Confederate Army, had acted with ſuch ſucceſs on this ſide, the Marquis *das Minas* with a Body of *Portugueze* attack'd and took the Town of *Salvaterra*, making the Garriſon Priſoners of War: After which he advanced to *Sacra*, which being abandoned by the *French* Garriſon and Inhabitants, was plundered and burnt by the *Portuguze*: But upon the advancing of a ſtronger Body of *French* and *Spaniards* againſt him, the ſaid Marquis retired to *Penamicon*, from whence he had writ to Court, and obtained the foremention'd Order for the Forces in *Alentejo* to march into the Province of *Beira*.

The principal Buſineſs of this Year, that is, the wonderful Succeſs of the Confederate Land and Sea Forces under the joint Command of the Earl of *Peterborough*, and Sir *Cloudeſly Shovel*, now deſerve our Attention. On the 22*d* of *May* her Majeſties Fleet ſailed from *Spithead* to St. *Hellens*. The next day the Earl of *Peterborough* went on Board the Admiral, and the Fleet ſailing the 24*th* for *Lisbon*, arrived there the 20*th* of *June* (*N. S.*) a Week after the *Dutch* Fleet, commanded by Admiral *Allemonde*, came into that River. The Earl of *Gallway*, with the other Generals, being alſo come to *Lisbon*, ſeveral Councils were held, about the intended Expedition of the Confederate Fleet; to favour which the Earl of *Peterborough* prevailed with the Earl of *Gallway*, (not without great oppoſition from the *Portugueze*) to ſpare him two Regiments of Dragoons. This Point being gained, the next was the providing Forrage, and other Neceſſaries, for the Imbarkation of thoſe Dragoons; which Difficulty, after

ter tedious Delays, was at laſt conquer'd by the Earl of *Peterborough*'s extraordinary Diligence and Application. In the mean time, the Prince of *Heſſe d'Armſtadt* arriv'd at *Lisbon*, from *Gibraltar*, and gave King *Charles* III. earneſt Aſſurances of the Inclinations of the Province of *Catalonia*, and Kingdom of *Valencia*, to declare for his Majeſty, which, together with his Wearineſs of being in *Portugal*, in a doubtful, melancholy Condition, made that Prince reſolve to try his Fortune with the Earl of *Peterborough*, and Sir *Cloudeſly Shovel*. This Council was alſo vehemently oppos'd (out of what Motives is uncertain) by ſome *Spaniſh* Grandees: But their ſpecious Reaſons were over rul'd by the Earl of *Peterborough*'s ſtronger Arguments, which confirm'd the *Catholick* King in his Reſolution; ſo that having ſent back the Prince of *Heſſe* to *Gibraltar*, to give the neceſſary Orders to that Garriſon to prepare for their Imbarkation, his Majeſty went on Board the *Ranelagh*, with the Earl of *Peterborough*. They put to Sea the 28*th* of *July* (*N. S.*) and having a good Paſſage, arriv'd, in few days, in the Bay of *Gibraltar*, where his Catholick Majeſty was receiv'd as lawful Sovereign. The Battalion of *Engliſh* Guards, and three old Regiments, which had ſo valiantly defended the Place, being embark'd, and two new rais'd Battalions left in Garriſon there; the Fleet ſail'd out of that Bay the 5*th* of *Auguſt*. The 11*th* they came to an Anchor in the Bay of *Altea*, in order to water there. This Town is inhabited by about 300 Families, has an ancient Caſtle, and belongs to the Kingdom of *Valencia*. As ſoon as the Fleet was entred into the Bay, all the People came to offer their Service to his Catholick Majeſty, imploring his Protection. They brought all ſorts of Refreſhments and Proviſions, and were very well paid for them; the Report of which made all the Inhabitants of the Neighbouring Villages and Towns come, and in like manner acknowledge his Catholick Majeſty, and do him Homage, and bring with them Fruits of the Country, and other neceſſary Proviſions. His Ca-

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1705. tholick Majeſty ordered a Body of Foot to be landed, as well to ſecure the Fleets watering, as to hinder the Sailors, and others, who went on Shoar, from committing any Diſorders either in the Town, or the Country about it.

The Earl of *Peterborough* at the ſame time publiſhed a Manifeſto, aſſuring the *Spaniards*, in the Name of Her Majeſty of *Great Britain*: *That he was not come to moleſt the Good and Loyal Subjects of that Monarchy, but to protect them in their juſt Rights and Priviledges, and free them from the inſupportable Yoke of* France, *by aſſerting the juſt Right of the Houſe of* Auſtria.

While the Fleet continued at *Altea*, certain Advice was brought, that there were in the adjacent Mountains 800 or 1000 of the Inhabitants of the Towns and Places in the Neighbourhood, who being weary of the *French* Yoke, had declared for King *Charles*, and ſeized the Town of *Denia*; whereupon his Majeſty appointed Major General *Ramas* Governour, and ſent with him 400 Men for the ſecurity of the Place. Two Days after the Fleet ſail'd for *Barcelona*, but met with ſo many Calms, that it was the 22*d* of *Auguſt* before they arrived in that Bay. As ſoon as the Fleet had Anchor'd, they began to Fire from the Mole, and a Battery that is near the Sea, upon ſome of the Tranſport Ships, which ſtood in for the Shoar; but the Enemies Firing was to little purpoſe, and all the Tranſports Anchor'd in ſuch manner as they found moſt commodious for the Landing the Forces on Board them. The next Day the Forces began to Land, tho' not without ſome difficulty, the Sea running ſo high, that in ſome Places the Soldiers were up to the middle in Water; but met with no oppoſition from the Enemy, who might eaſily have diſturbed their Landing. The Inhabitants of the Neighbouring Villages, came down with great Demonſtrations of Joy for the Arrival of his Catholick Majeſty, and brought Boards for the Soldiers to get out upon, and many of them ran into the Water to carry the Officers on their Backs. The

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firſt that Landed were 200 Grenadiers, who were immediately drawn up near the River, while the reſt were Landing, and in leſs than five Hours there were 15 Battalions on Shoar. The next Day the Horſe and Dragoons were Landed, and joyned the reſt of the Forces, encamped about a quarter of a League from *Barcelona*, and the Circumference of the City being ſo large, that the Troops were not ſufficient to guard all the Poſts, the Country People aſſiſted them in ſecuring the ſeveral Avenues. 1705.

After the Artillery and Heavy-Baggage were Landed, a Council of War was held on Board the Admiral, and his Majeſty reſolv'd to go on Shoar the next Day, to encourage this Expedition by his Preſence, and to ſhew himſelf to the People of the Country, who came from divers parts in great multitudes to ſee him. As ſoon as his Majeſty got on Shoar, an infinite number of People, with repeated Acclamations of *Long Live the King*, ran to the Water ſide, and caſt themſelves at his Majeſties Feet: from thence he rid to the Camp, where the Forces were drawn up in a Line to receive him, and ſaluted him with a treble Diſcharge of their ſmall Arms. It was then propoſed to attack the Town in Form, and to open the Trenches on that ſide where the Army was encamp'd, but the Ground proving Marſhy, that Deſign was laid aſide. And receiving Orders at the ſame time from *England*, which obliged the Earl of *Peterborough* to enter upon ſome conſiderations not to proceed ſo vigorouſly in the Attack of *Barcelona*, and finding the Place was well fortified, and a numerous Garriſon in it, provided with all neceſſaries, 'twas judg'd they could not attempt the Siege with any probability of ſucceſs. However, it was repreſented by the Sea-Officers, that the Town might be Bombarded by the Ships, at the ſame time that the Approaches were carried on by Land. But the King not conſenting to have that fair City deſtroy'd, all Thoughts of attacking it ſeem'd to be entirely laid aſide. All this while the Prince of *Heſſe d'Armſtadt*, whoſe Honour

1705. and Credit was at Stake, as being the chief Adviſer and Promoter of this Expedition, was contriving ſuch Methods of carrying on the Siege as might be liable to the leaſt Hazard and Difficulty: And, at laſt, propos'd to the Earl of *Peterborough*, as a thing moſt expedient, and at the ſame time very feaſible, to take the Citadel and Caſtle of *Montjuich* by Surprize, which would be a means to reduce the City of *Barcelona* with the greater Eaſe, by reaſon of the advantageous Situation of that Fort, which commands the Place; and deſired that his Lordſhip would give him only 1000 Men for that Purpoſe, offering himſelf to conduct and command them. The Earl of *Peterborough* having taken a View of Fort *Montjuich*, and of the Town on that ſide, and maturely weigh'd his Highneſſes Reaſons, and conſider'd the manner in which he intended to proceed in the Attack, not only concurr'd with the Prince, and readily granted him the 1000 Men he deſir'd; but likewiſe reſolv'd to ſupport his Highneſs himſelf with 1000 Men more, and ſome Dragoons. The better to conceal this Deſign from the Enemy, the Cannon, Stores and Baggage were drawn off to be reimbark'd, and 'twas given out, that the Army ſhould march by Land to meet the Fleet at *Terragona*. In the mean time, Scaling Ladders, and all Things neceſſary for the Attempt upon Fort *Montjuich* were ſecretly got in a readineſs, and on *Sunday*, the 13*th* of *September*, N. S. about Six a Clock in the Evening, a Detachment of 400 Grenadiers, under the Command of Colonel *Southwell*, with 600 Foot to ſupport them, were order'd to march, by the way of *Serria*, towards *Terragona*; but about 10 at Night, the E. of *Peterborough* commanded them to march directly to the Fort. About Midnight, that firſt Detachment was followed by another of 1000 Men more, and to theſe were join'd ſome Dragoons, who poſted themſelves in a Place call'd the *Cover'd Croſs*, to hinder the Horſe that ſhould attempt to come out of the Town to cut them off. The greateſt Part of the Way not being paſſable for above one Man a breaſt, and the Night very

very dark, the firſt Detachment was near 12 Hours in their March; ſo that it was break of Day by that time they came to the Foot of the Mountain; and ſome Miquelets, who belonged to the Enemy, giving the Alarm to thoſe in the Caſtle, and in the Town, the Prince of *Heſſe*, upon his Arrival, found the Garriſon in Arms, with Guards in their Out-works, who received the Confederates with a general Diſcharge of their Artillery, and ſmall Arms. Hereupon the Prince of *Heſſe*, and the Lord *Charlemont*, (who commanded that Day as Brigadier, by reaſon the *Dutch* Brigadier *Schonenburg*, whoſe turn it was, happened to be indiſpos'd) ordered Colonel *Southwell* to begin the Attack with the Grenadiers under him. This the Colonel performed with great Vigour, and undaunted Bravery; enter'd the Cover'd-way, and the Ditch, got upon a Curtain which was not quite finiſhed; and notwithſtanding the coutinual Fire of the Enemy from all Parts, gained the Bulwark of a new Fortification, beat the Enemy out of it, and obliged them to abandon that Poſt, and all their Out-works, and retire into the Donjon, or Caſtle. Several Officers, and private Men, were kill'd in theſe briſk Attacks; and Colonel *Southwell* was thrice ſurrounded by the Enemy, but had ſtill the good Fortune to get off. 1705.

Upon this Succeſs, the Prince of *Heſſe d'Armſtadt*, who was preſent every where, being deſirous to puſh forward, and poſſeſs himſelf of a Poſt that would hinder the Enemies Communication with the Town, and which being in their Hands gave them the Advantage of receiving Succours from thence; advanced, with great Eagerneſs, through all the Fire from two Bulwarks, and a Curtain, without any ſhelter, and was ſhot with a Muſquet-Ball, which paſſing through his Thigh, tore an Artery, by which the Prince loſing a great quantity of Blood, after he had marched above 50 Paces, animating his Men as though he knew nothing of his being wounded, at laſt fell down, they carried him off to a little Houſe that was near, and as ſoon as he was brought thither,

before

1705. before they could look upon the Wound, he expired, to the unexpreſſible Grief of the King, the Officers, the Soldiers, and the Seamen. This Accident ſtruck a Damp upon the Spirits of the Soldiers, who had great Confidence in the Prince; and as one Misfortune is generally attended by another, it happened that the Enemy, who were retired into the Donjon, perceiving ſome Diſorder among the Confederates, either to deride, or decoy them, cry'd out, *Long live King* Charles, and by Signs invited the Aſſailants to come to them: Hereupon Colonel *Allen*, with about 250 Men, advanc'd toward the Fort, whoſe Gate the *Spaniards* opened, the better to cover their Stratagem, but when he came near it, they put themſelves in a poſture to fire upon him, and his Men, and bid him Surrender, which he was obliged to do, there being no poſſibility of Retreating. What diſheartned the Beſiegers yet more, was, that the Marquiſs *de Risbourgh*, marching out of *Barcelona*, to ſuccour the Line of Communication, eaſily diſpers'd ſome *Catalans* that guarded a Paſs, and ſo brought a Supply of about 200 Grenadiers into the Citadel: Whereupon the Officer that commanded in Chief gave Orders, for all the ſeveral Detachments of the Confederate Forces to retreat.

The News of all theſe Miſchances being ſpeedily brought by Colonel *Rieutort*, (the late Prince of *Heſſe*'s Aid-de-Camp) to the Earl of *Peterborough*, his Lordſhip juſtly tranſported with Indignation at the Orders that had been given for the Troops to draw off, immediately countermanded thoſe Orders, and drawing his Sword, and throwing away the Scabbard, ſaid, *He was ſure all brave Men would follow him.* With that, he put himſelf at the Head of the Detachments that were retreating, and ſo animated them by his Example, that they ſoon regained all the Ground they had quitted: his Lordſhip expoſing himſelf to the greateſt danger, and poſting himſelf at the Foot of the *Donjon*. Hereupon the Marquiſs of *Risbourgh*, who had contributed to the Taking of Colonel *Allen*, and moſt of his Men, having reinforced the Garriſon

ſon of the Caſtle with part of his Grenadiers, and ſent the *Engliſh* Priſoners to the Town, fearing to be intercepted himſelf by the Earl of *Peterborough*, retired thither with all ſpeed. A little while after the *Miquelets* made themſelves Maſters of St. *Bertram*'s Fort, whereby the Communication between the Town and the Citadel was entirely cut off. 1705.

The Confederates having made Lodgments to cover themſelves, began to batter the Caſtle with five pieces of Cannon that were found in St. *Bertram*'s Fort, and four others gained by the *Engliſh* in another Poſt; but theſe Pieces being of too ſmall a Bore, and the Walls very thick, this Cannonading had but little Effect. Hereupon it was reſolved to ply the Enemy with Bombs and Granadoes to oblige them to ſurrender; But the Prince *Caracioli della Torella*, a Neapolitan, who commanded in the Abſence of the Governour, (who being got into the Town two days before, could not return to the Caſtle) held out reſolutely for two days. On the 17*th* of *September*, (N. S.) the Fort ſurrendered by this extraordinary Accident: Colonel *Southwell*, who commanded that day in the Trenches, obſerving that the Bombs that were thrown by a *Dutch* Bombardeer from a ſmall Mortar in the Trenches, fell to the Left of the Fort, and concluding that there was a Magazine in the Place, he travers'd the Mortar himſelf more to the Right, and fired it, and the Bomb falling directly into a little Chappel where the Garriſon kept their Powder, blew up the Commanding Officer, with three or four more. As ſoon as the Blaſt was over, all the Garriſon came running out, and ſurrendered themſelves Priſoners to Colonel *Southwell*, who, upon the Succeſs of the Bomb, was already advancing Sword in Hand, at the Head of his Men, to improve the Confuſion which he obſerved the Garriſon to be in. The King of *Spain* and the Earl of *Peterborough*, to acknowledge Colonel *Southwell*'s Service, made him Governor of that Fortreſs, towards the Taking whereof he had ſo greatly contributed.

This

1705. This Succeſs was the more conſiderable, not only becauſe that Citadel commanded the City of *Barcelona*, but likewiſe becauſe it rendered the Attack of the latter leſs difficult, the Fortifications of the Town being weakeſt on that ſide. Nor did the Earl of *Peterborough* loſe time in improving this Advantage: For as ſoon as *Stanhope*'s Brigade, and ſome other Troops, were come up to that ſide of the Town, he cauſed the Trenches to be opened, and for Batteries of Cannon, and to of Mortars to be Erected; in which Service, both the Miquelets, many of whom upon the taking Fort of *Montjuich* began to enter into Pay, and the *Engliſh* and *Dutch* Seamen ſhewed a geat deal of Readineſs and Alacrity: While the Batteries were Erecting, our Bomb-Veſſels threw 412 Shells into the Town which occaſion'd a great Confuſion and Conſternation among the People. Don *Franciſco de Velaſco* ſeeing theſe Preparations, ſent out of the Town many of the Inhabitants; ſecured others whom he ſuſpected to be well affected to King *Charles*, and made all the neceſſary Diſpoſitions for a vigorous Defence.

His Catholick Majeſty having generouſly granted his Protection to all thoſe that came out of *Barcelona*, and order'd the greateſt part of the Forces to march to the ſide of *Montjuich*, removed his own Quarters toward *Serria*, that he might be nearer to the Attacks: The Miquelets and *Catalans* that had declared for his Majeſty, with a Body of regular Forces, remaning Maſters of all the Avenues, and keeping the City cloſely block'd up on the other ſide. On the 22d. of *September* (N. S.) the Batteries began to play, and, at the ſame time, 8 *Engliſh* and *Dutch* Ships cannonaded the Town from the Sea. The firſt were ſo well ſerv'd by the Officers and Gunners of the Fleet, that they fired all their Pieces at once, like the Broad-ſide of a Ship: At the ſight of which King *Charles*, who went often to Fort *Montjuich* to view the Attacks, was extreamly pleaſed, and encouraged the Seamen. Thoſe Batteries fired with ſo much Succeſs, that the 3d. of *Octo-*

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ber (N. S.) there was a large Breach, whereupon the Earl of *Peterborough* ſummn'd Don *Franciſco de Velaſco* to ſurrender the Place, offering him ſome honourable Terms, but declaring withal, That he muſt not expect the like Treatment, if he did not comply immediately. The Viceroy, who was reſolved to hold out to the laſt Extremity; and for that purpoſe had caſt up an Intrenchment, and made Mines and Fougades behind the Breach, returned a civil Anſwer, but according to the *Spaniſh* Temper, full of Rhodomontades. Thereupon the Earl of *Peterbrough* order'd the Batteries to fire with more vigour than ever; And the ſame *Dutch* Bombardier, who look'd after the Mortar that made ſo much Execution in the *Donjon*, and now had the Direction of the great Bomb Battery, with great Skill, fir'd at once, three Bombs, whereby the Intrenchment and Mines were blown up, and the Breach it ſelf made wider. 1705.

Upon the great Succeſs of thoſe three Bombs, the Earl of *Peterborough*, who was in Perſon at the great Battery, ſaid, *That if he had two Thouſand Men in readineſs he would immediately Storm the Town*: But it being late, he retired to his Quarters, from whence he writ to the Viceroy, 'That as the 'Garriſon could expect no Relief, he adviſed him 'to prevent the Conſequences of an Aſſault, and 'that this was the laſt Letter he ſhould receive from 'him: Hereupon the Viceroy conſented to capitulate, and the next day, at 8 a Clock in the Morning Brigadier General *Stanhope* was ſent into *Barcelona* as an Hoſtage, and the Count *de Ribeira* came into the Camp in the ſame Quality. The Viceroy made ſeveral extravagant Demands, among other things, to be conducted to *Tarragona* or *Tortoza*, but they convinc'd him of the Impoſſibility of it; the latter having declared for King *Charles*, and the other being actually beſieged. He deſired afterwards to be tranſported by Sea with his Garriſon, to St. *Feliu*, near *Palamos*, and be conducted from thence to *Gironne*. This was at laſt granted him,

and

1705. and the ſame day being the 9th of *October*, the Capitulation was ſigned in the Evening; and it was agreed, among other Points, That the *Angel* Gate and Baſtion, ſhould be immediately deliver'd up to the Army of the Allies, and the whole City four days after, when the Garriſon ſhould march out with all the marks of Honour, the Foot thro' the Breach, Flying Colours, *&c.* and the Horſe thro' St. *Anthony*'s Gate; and that they ſhould carry off 16 pieces of Cannon, and three Mortars. The Tenders of the Fleet were ſent to the Mole the 13th in the Morning to lade the Artillery and Equipage of the Garriſon, and 13 Tranſport Ships, under Convoy of ſome *Engliſh* Frigots, were appointed to tranſport the Garriſon to St. *Feliu*; but the ſame day the King of *Spain* receiv'd Advice, that *Gironne* was ſurrendred to him, and the Earl of *Peterborough* having acquainted Don *Franciſco de Velaſco* with that Advice, it was agreed, that the Garriſon ſhould be tranſported to *Roſes* the 14th.

Accordingly the Garriſon was preparing to march out on the 14th of *October*, in the Morning, when abundance of Miquelets, prompted by the hopes of Plunder, being got into the Town thro' the un-Guarded Breach; and joyning themſelves to many of the Inhabitants, whom the Viceroy's Violences and Extortions, together with the Report that he deſigned to carry away ſeveral Priſoners, contrary to the Capitulation, had exaſperated; the whole City was preſently in an Uproar, and not only the Houſes of the *French*, and other Partiſans of the Duke of *Anjou*, were rifled by the greedy Rabble, but the Viceroy himſelf, and his Garriſon, were like to feel the Effects of their Fury. The Noiſe of this Tumult having reached the Earl of *Peterborough*'s Ears, his Lordſhip put himſelf immediately at the Head of a Troop of Dragoons, and ſome Companies of Grenadiers; enter'd the Town thro' the *Angel* Gate; marched whither the Confuſion was greateſt; and appeaſed the Diſorder; put a ſtop to the plundering and prevented the Slaughter of the Garriſon.

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However, the People being ſtill incenſed againſt the Governour Don *Franciſco*, the Earl of *Peterborough* thought it neceſſary to allow him a Guard of 800 Men, when he carried him on Board the Fleet, in order to be convey'd to *Alicant*, or *Malaga*, not thinking himſelf ſecure in *Roſes*; which by this time was the only place that had not declared for King *Charles*. Who having made his Entry into *Barcelona*, and received the Oath of Fidelity of his Subjects, a Council of the Land and Sea-Generals was held, wherein it was thought fit to comply with the Reſolution of the King of *Spain*, who had declared, That he would venture his own Perſon with the *Catalans*, and that the Earl of *Peterborough* ſhould continue with that Prince with the Land Forces, and all the Marines that could be ſpared from the Service of the Ships. The Seaſon of the Year being far ſpent, it was reſolv'd that Sir *Cloudeſly Shovel*, and Admiral *Allemonde*, ſhould make the beſt of their way home, and that 25 *Engliſh*, and 15 *Dutch* Ships ſhould Winter at *Lisbon*, under the Command of Sir *John Leake* and Rear-Admiral *Waſſenaer*. They left Four *Engliſh* and Two *Dutch* Frigots at *Barcelona*, and the Fleet having ſail'd from thence, landed at *Malaga* and *Alicant*, Don *Franciſco*, and about a 1000 Men of the Garriſon of *Barcelona*, the reſt having liſted themſelves in the Service of King *Charles*, Sir *Cloudeſly* arrived the 6th of *November*, at *Gibraltar*, ſailed from thence the 9th, and arrived the 26th at St. *Helens*, and a few days after came to *London*, and was receiv'd by the Queen, and the Prince, with thoſe Marks of Eſteem which his Signal Services merited. 1705.

Whilſt the Well Affected *Miquelets* and *Catalans*, ſome of them headed by the Marquiſs *de Cifuentes*, who had declared for King *Charles*, were ſecuring themſelves in the Cities and Towns of *Terragona*, *Tortoza*, *Lerida*, *Gironne*, &c. which they had ſeized during the Seige of *Barcelona*, his Majeſty made uſe of the Troopers and Horſes of the late Garriſon of that City to form a Regiment of 500 Dragoons for his Guard, on the other hand theſe Succeſſes juſtly alaruming the Court of *Madrid*; his *Competitor* King *Philip*

1705. *Philip*, called a General Council of the Grandees to give him their Advice and Assistance in this Exigency of Affairs; but receiv'd no Satisfactory Answer: He there dispatched the Young Count *de Aguilar* to *Paris* to represent the tottering Condition of his Throne, and to sollicit a Reinforement of Troops, and a supply of Money. And at the same time, sent Orders to the Marshal *d Tesse* to leave the Frontiers of *Portugal*, and march into *Arragon* with all the Forces under his Command. The Count found the Court of *France* under a mighty Consternation what had passed; and their Confusion was the greater, because they foundly look'd upon the Conquest of *Catalonia* as impossible: However, they dispatched him back to *Madrid*, with large Promises that the *French* King would do his utmost to support his Grandson, and Enable him to drive King *Charles* out of *Spain*. Upon these assurances, King *Philip* declared in Council his intention to put himself at the head of his Army to oppose his Competitor; who was not wanting, in the mean time, in solliciting his Allies to send him speedy Succours, and extending his Conquests in the Kingdom of *Valentia*; to further which Colonel *Nebot* came over to his Majesties Service with his whole Regiment, Consisting of 500 Horse: who soon did him considerable services; for being reinforced by Gen. *Ramos*, Governour of *Denia*, they made themselves Masters of *Xabea*, *Oliva*, and *Gandia*, making the Garrisons Prisoners, and having incouraged the Country to submit to King *Charles*, they advanced to *Alzira*, of which they possessed themselves, having defeated the 3 Troops of Horse, that the Viceroy of *Valentia* had sent to oppose them. After which, they marched to the Capital, to *Valentia*, with a 1000 Horse 500 Foot, and a great number of the Militia, and by the assistance of some Inhabitants made themselves Masters of the Capital it self; where they took the Viceroy, and the Archbishop Prisoners: Upon which the whole Kingdom of *Valentia*, the Towns of *Alicant*, and *Penisola* excepted, declared for King *Charles*. For this Service his Majesty Created Don *Raphael Nebot* a Major General and not many days after upon intelligence, the Enemy were drawing all their

their Troops together, toward *Arragon*, and had burnt the Town of *Monroy*, which had declared for him, he resolved to send Forces that way, and acquainting the Deputy of *Barcelona*, that he should want the assistance of the City upon this Extraordinary occasion, the Burghers came to his Majesty and tendered all that was in their Power, which offer was accompanied with all possible Demonstrations of Zeal and Loyalty. And upon Advice, that the Conde *de las Torres* was advancing, with a Body of 3000 Horse, and as many Foot, in order to lay Siege to *Valencia*, a Council of War was held at *Barcelona* the 30th of *December*, N. S. wherein the E. of *Peterborough* represented, how much it was for King *Charles* Interest to prevent the Loss of that important City, and offer'd to march in Person to its Relief. His Lordship's Resolution being approved, and highly Applauded, he set out that very day for *Tortosa*, having caused some Troops to march before. On the 4th of *January*, he arrived at *Tortosa*, where he was receiv'd by the Magistrates and Burghers with all publick Demonstrations of joy and Respect: and upon Intelligence, that the Enemy, to the Number of 2000 Men had actually laid Siege to *San Matteo*, his Lordship caused three *English* Regiments to move before on the 6th, and the next day he march'd himself at the Head of some *English* Horse, the Regiment of *Nebot*, and some Militia. The Besiegers had already set their Miners to work under the Walls of *San Matteo*; but thro' the Unskilfulness of the Workmen, the Mine sprung backwards, and buried 40 Men in its Ruins; which together with the Earl's Approach, oblieged the Enemy to raise the Seige with a great Precipitation. *Don Juan*, the Governor, made a Sally upon their Rear, and kill'd abundance of the Enemy; and the Earl of *Peterborough*, arriving at that very time, pursued them as far as *Alboca*, and then march'd with his flying Camp to *Benicarlo* and *Vinenos*. His Lordship knowing the Enemy to be much Superior in Cavalry, advanced in Person with a small Party of 50 Dragoons, within five Leagues of 1705.

1705. *Valencia*, and cauſed Orders to be diſperſed, for the Countries to bring him in great Quantities Bread and Forrage; whereby he made the Enemy believe he had his whole Army with him. By that Stratagem, and a very expeditious March, he gathered above 600 Horſes, with which he recruited his Horſe, and formed a Regiment of Dragoons of the Lord *Barrimore*'s Regiment of Foot, the Command of which new Regiment he gave to Lieutenant Colonel *Pierce*; ordering the remaining Officers of the old to return to *England* to recruit the ſame. That Regiment was form'd very opportunely; and his Lordſhip having drawn together 10 Squadrons of Horſe and Dragoons, and four Battalions of Foot, regular Forces, beſides 3000 Militia, at *Almanara*, he marched to *Morviedo*, where Brigadier *Mahoni* lay with about 400 Dragoons. The Town and Caſtle are an old Fortification, ſecured by a River, which the Earl of *Peterborough* was to paſs, and ſo were capable of making ſome Reſiſtance: But Brigadier *Mahoni* thought beſt to deliver up both, being allowed to withdraw his Troops. The next day, his Lordſhip haſtened his March to *Valencia*, and entered without Oppoſition, the Enemy who lay within a League of it, with an Army of 6000 Horſe and Foot, retiring further to *Segrebe* in great Confuſion. His Lordſhip was received with extraordinary Demonſtrations of Joy by the Inhabitants, (particularly the Clergy, who were, moſt of them, under Arms) who publickly acknowledged they owed their Preſervation to his Lordſhip's Activity and Reſolution; and ſoon after reſolved to raiſe and maintain at their own Expence 1500 Foot, and 800 Horſe for King *Charles*'s Service, and to advance to his Lordſhip 20000 Piſtoles towards the ſupply of his Troops.

About this time a conſiderable Action happened near St. *Iſtevan de Litera*. Major General *Cunningham*, who was lately made a Lieutenant General, and lay with a ſtrong Garriſon of *Engliſh* and *Dutch* at *Lerida*, having Intelligence (the 22 of *January*, N. S.) that the Enemy that lay about

Balbaſtro

Balbaſtro, had a deſign to attack ſome of our Dra- 1705.
goons at *Tamarite*, he immediately ordered Colonel *Wills* to march with 300 Grenadiers, and the like Number of Fuſileers. The Colonel arrived at *Tamarite* at One in the Morning, where he had Advice that the Enemy had repaſs'd the River, and retired to *Balbaſtro*. The 23d Lieutenant General *Cunningham* and Colonel *Palm*, joyned Colonel *Wills* with ſome more Troops; but the next day the latter marched to St. *Iſtevan de Litera* with 400 Foot, and 30 Dragoons, and ſent 300 *Dutch* he had under his Command to *Benoſar*. The 25th the Chevalier *d' Asfeld* marched to attack Colonel *Wills* with his Squadrons of Horſe and Dragoons, and nine Battalions of Foot, all *French*. Colonel *Wills* drew out his ſmall Number, and attacked their advanced Guard, and beat them back to their Body; the Enemy retreating in great Confuſion to *Fons* and *Almana*. Colonel *Wills* followed them a League, and at night was joined by Lieutenant General *Cunningham*, and Colonel *Palm*, with the reſt of the Troops to the Number in all, of between 11 and 1200 Men. The next Morning, the Chevalier *d' Asfeld* advanc'd with his Troops to attack the Confederates, who thereupon drew out, and poſted their Foot on a Hill, towards which the Enemies Foot was marching. About 8 a Clock they were fully engaged, and the Enemy puſhed two Companies of our Grenadiers, but Major *Buſton* marched up with ſoune Plattoons, and beat them back again: At which time Lieutenant General *Cunningham* received a ſhot thro' his Belly, and was carried off. Colonel *Wills* having then the Command continued the Battle till three in the Afternoon. The Enemy employed a great part of their Forces to drive the Confederats off the Hill, but they kept their Ground there with great Reſolution. The Troops fought with extraordinary Bravery on both Sides, ſo that the Muzzles of their Pieces met. Major *Buſton* received four Stabs in the Body with Bayonets; and Colonel *Palm*, who aſſiſted Colonel *Wills*, received two Shots in his

1705. Belly. The Confederates had ſeveral other Officers, and about 150 private Men kill'd or wounded, but had no Priſoners taken: Whereas the Enemy had 400 Men killed; and left behind them a Lieutenant-Colonel and a Lieutenant of Dragoons, who were made Priſoners. About three the Enemy retreated to *Fons* and *Almana*: And Colonel *Wills* continued till five on the Field of Battle, and then march'd to *Balaguer*, where Lieutenant-General *Cunningham* died three days after of his Wounds. The Enemies Regiments were *Belford*'s Horſe, *Berry*'s Horſe, *Montmain*'s Dragoons; *Sillerie*'s three Battalions; three Battalions of the Regiment *de l' Iſle de France*; and three Battalions of that *de la Couronne*: In all about 4000 Men. With this Action we ſhall conclude the Account of the Affairs on that ſide.

While thoſe things had been tranſacted there, the Earl of *Galway* made preſſing Inſtances at the Court of *Portugal*, that the Armies might take the Field, and make a powerful Diverſion in Favour of King *Charles*; according to the Solemn Promiſes and Engagements they had given thereto: Notwithſtanding which, the *Portugueze* Generals continued in their Quarters, though the *Engliſh* had been aſſembled a conſiderable time. What could be the reaſon of this ſtrange management of Affairs, was as much enquired after at *Lisbon*, as it was wondred at in other places. For no Body could imagine, that a Nation which naturally hates the *Spaniards*, and was in open War with them, would neglect an Opportunity to Act againſt them, unleſs ſome ſecret Remora prevented their Acting with that Sincerity and Vigour they had promiſed; therefore the moſt penetrating judg'd it proceeded both from the influence of the *French* on ſome Great Men, and the Intrigues of the Popes *Nuncio*: Be that as it won'd, the *Portugueze* having ſpent much time in Conſultations, did on a ſudden change their ſlow Meaſures, and laid Siege to *Badajox*. The Siege was carried on with ſo much ſeeming ſucceſs, that the Town was look'd on by the Enemy as good as loſt; and indeed we may

may ſay that nothing but an accident prevented it's being taken; for on the 11th of *October* (N. S.) when the Trenches had been open'd juſt a Week, a Bomb of the Enemy fell upon one of the Batteries, blew up the Powder, and ſome Gunners, whereupon the reſt run away. The Earl of *Galway*, and General *Fagel* repair'd thither immediately, and found the Platform ruin'd, and other Damages done; when unfortunately, as they were upon that Battery, giving their Orders, and Encouraging the Soldiers, a Cannon Ball came between them, carried away the Sleeve of M. *Fagel*'s Coat, and took off my Lord *Galway*'s Right Hand, juſt below the Elbow. Notwithſtanding which, his Lordſhip continued near two hours, giving his Orders, till at laſt he was obliged to be carried away, and have his Arm cut off. The Batteries renew'd their Fire again, and it was hoped this accident might have been cur'd. But on the other hand, the Mareſchal *de Teſſe* taking this advantage, and having aſſembled his Troops at *Talavera*, within three Leagues of the Confederate Camp, reſolved to run the riſque of loſing his Army, or relieve the place.. To that end he advanc'd under the favour of a very dark and rainy Night, and paſs'd the *Guadiana* not far from *Talavera*, fetching a Compaſs about, to avoid meeting the Confederate Parties. The Generals however got Intelligence that he was in motion, but they could not tell whether he had paſſed the *Guadiana*, or was marching on this ſide to ſurprize our Camp. Upon this Uncertainty, and the Night being very dark, the Army continued in the ſame Place, but in a readineſs to receive the Enemy. As ſoon as it began to be Light General *Fagel* repaired to the Left Wing, and in his way, was informed by a *Portugueze* Trooper, ſent by the Conde *de St. Joan*, that the Parties that were abroad, had taken two *Spaniſh* Troopers, who reported that their Army had made no motion; but a few Minutes after, another Trooper brought Advice, that the Van Guard of the Enemy appeared on the other ſide of the River, and indeed, they marched with ſo much

1705.

1705. Diligence, that they were ſoon drawn up in Battalia, flanking our Left Wing. As we were ready to march, we expected Orders to paſs the River to attack them, but General *Fagel* thought it dangerous to venture to paſs the ſame, which we could not do but in two Columns, againſt the Front of the Enemy, whereby they would have had a great Advantage, and would not take it upon himſelf alone, and having called the Conde *de St. Joan*, Lieutenant General *Windham*, the Major Generals *Harvey* and *Tennagel*, Brigadeer *Drymborn*, and the Baron *de Winterfelt*, it was not thought adviſeable to paſs the River with the Left Wing alone, but with the whole Army; whereupon the Army made a motion, and the Marquiſs *das Minas* with the Right Wing, and Baron *Fagel* with the Left, paſſed the *Guadiana*, and the Infantry in the middle, over two Bridges. This March was performed with a great deal of Expedition, but the Enemy were as diligent to retire; and before the Army could come up with them they paſſed the *Chevora*, (over a Stone Bridge which might have been broken down, or ſecured) drawing up their Army behind that River, and having *Badajox* in their Rear. General *Windham*, with the Foreign Horſe, overtook ſome Squadrons of the Enemy, and puſh'd them into the River, with great Diſorder and Loſs on their ſide. The two Armies cannonaded each other, about two Hours, and the Marquiſs *das Minas* ſeeing the impoſſibility of attacking them with ſucceſs, and conſidering that the Baggage of the Army lay expoſed to the Enemy, it was thought fit to return to the Camp; which gave the Mareſchal *de Teſſe* an opportunity to throw Succours into the Place. Upon which the Beſiegers withdrew their Artillery from the Batteries, and decamp'd. The Mareſchal *de Teſſe* appear'd upon ſome Riſing Grounds with part of his Army, but the March of the Confederates being cover'd by the Marquiſs *de Montandre* with 6 Battalions, and 8 Squadrons, they drew off in very good Order, and without any loſs: The next Day they encamped at *Telena*, paſſed the *Guadiana*

diana the day following, and brought all their Artillery to *Elvas*, where the Army ſeparated, and went into Winter Quarters. 1705.

Let us now return to *England*. On the 15*th* of *April*, a Proclamation was iſſued for the Diſſolution of the Preſent Parliament, which then ſtood Prorogu'd to the firſt of *May*; and on the 10*th* of the ſame Month, Her Majeſty and his Royal Highneſs ſet out for *Newmarket*, from whence they returned the 21*ſt* following, when another Proclamation was publiſhed for calling a New Parliament to meet the 14*th* of *June* following.

About this time Sir *George Bing*, Cruizing in the *Sounding*, took from the Enemy one Man of War, 12 Privateers, and 7 Merchant Ships, moſt of the latter richly laden from the *Weſt-Indies*. On the 12*th* of *May*, the Count *de Gallas*, Envoy Extraordinary from the Imperial Court, notified to Her Majeſty in a private Audience, the Death of the Emperor *Leopold* V. and the Acceſſion of his Son *Joſeph* I. to the Imperial Throne, upon which Her Majeſty and the Court went into Mourning, conditionally that the Emperors of *Germany* ſhould for the future do the like for the *Engliſh* Monarchs.

Little of moment paſſing in the Parliament of *Ireland*, let us now attend the Meeting of the *Scotch* Parliament at *Edinburgh*. His Grace the Duke of *Argyle* having been conſtituted Her Majeſties High Commiſſioner to the ſaid Parliament, appointed them to meet on the 28*th* of *June*, where his Graces Commiſſion, with ſome others, was read and approv'd: But ſeveral Members being abſent, he Adjourn'd them to the 3*d* of *July* following. At what time her Majeſties Letter was read, recommending to them, *The Settlement of the Succeſſion of the Crown in the Proteſtant Line, and the ſetting on foot a Treaty of Union, as the two Principal Ends to prevent all differences that might happen between the two Kingdoms.* This was ſeconded by the Speeches of the Lord Commiſſioner, and Lord Chancellor. But the Houſe reſolved before all other Affairs, to go

1705. upon the Regulation of Coyn and Trade, and ſpent from the 6th to the 17th of *July* following therein; At what time the Duke of *Hamilton* preſented the following Reſolve, *That the Parliament would not proceed to the Nomination of a Succeſſor, till they had a previous Treaty with* England, *in relation to their Commerce, and other Concerns with that Nation.* And further, *That they would proceed to make ſuch Limitations, and Conditions of Government, as might ſecure the Liberty, and Independency of the Kingdom of* Scotland, *before they proceeded to the ſaid Nomination*: On which occaſion, the Lord *Belhaven* made a very long and weighty Speech; and after ſome Debate it being put to the Vote, *Approve the Reſolve or Not?* It was carried Approve: On the 20th of *July*, the Draught of an Act for a Treaty with *England* was preſented, but it could not obtain a Reading till the 31ſt: At what time the Queſtion was put, Proceed to conſider the Act for a Treaty, or on Limitations and Conditions of Government, and carried for the latter; on which the Houſe ſpent ſeveral days, particularly the Act for chuſing Officers of State, and the Act for a Triennial Parliament.

On the 15th of *Auguſt*, the Act and Commiſſion for a Treaty with *England* was read, and after a long Debate thereupon, the farther conſideration thereof was deferred. On the 18th following, (after the Act for a ſupply had been read) it was moved in Parliament, That there being an Addreſs laſt Seſſion for tranſmitting the Papers relating to the Plot, the Houſe might be ſatisfied what Anſwer had been given thereto; to which the Lord Commiſſioner declared, that he had received a Letter from Her Majeſty, and would ſignifie her Majeſties Pleaſure therein on the firſt convenience.

The ſame Day the Draught of an Addreſs to Her Majeſty, why the Parliament could not proceed to an Act for a Treaty with *England*, was offered in theſe Terms: 'We your Majeſties moſt Loyal and 'Faithful Subjects, the Noblemen, Barons and Bur-'geſſes convened in Parliament, humbly repreſent to

'your

'your Majeſty, That the Act lately paſt in the Par- 1705.
'liament of *England*, containing a Propoſal for a
'Treaty of Union of the two Kingdoms, is made in
'ſuch injurious Terms to the Honour and Intereſt of
'this Nation, that we, who repreſent this Kingdom
'in Parliament, can no ways comply with it; which
'we have the greater Regret to refuſe, becauſe a
'Treaty of Union has, in this Seſſion, been recom-
'mended to us by your Majeſty; but out of the great
'Senſe of the Duty we owe your Majeſty, we do de-
'clare, that we ſhall be always ready to comply with
'any ſuch Propoſal from the Parliament of *England*,
'whenever it ſhall be made in ſuch Terms as are no
'ways Diſhonourable or Diſadvantageous to this Na-
'tion. After a long Debate thereon, the Parliament did proceed to the Act for a Treaty with *England*, which being Read, it was put to the Vote, mark a firſt Reading on the Act, or not, and carried to mark a firſt Reading on the Act.

The next day, the Act and Commiſſion for a Treaty with *England*, was Read, and after a long Debate, the further conſideration thereof was put off to the next *Sederunt*, when the Duke of *Athol* gave in the following Proteſtation. 'In regard, that by
'an *Engliſh* Act of Parliament, made in the laſt Seſ-
'ſion thereof, intituled, *An Act for the effectual ſe-*
'*curing the Kingdom of* England *from the apparent*
'*Dangers that may ariſe from ſeveral Acts lately paſ-*
'*ſed in the Parliament of* Scotland, the Subjects of
'this Kingdom are to be adjudged *Aliens*, born out
'of the Allegiance of the Queen, as Queen of *Eng-*
'*land*, after the 25*th* of *December*, 1705. I do there-
'fore proteſt for my ſelf, and in Name and behalf
'of all, who do adhere to this my Proteſtation:
'That for ſaving the Honour and Intereſt of her Ma-
'jeſty, as Queen of this Kingdom, and maintaining
'and preſerving the undoubted Rights and Privi-
'ledges of her Subjects, no Act for a Treaty with
'*England* ought to paſs in this Houſe, unleſs a Clauſe
'be adjected thereto, prohibiting and diſcharging
'the Commiſſioners that may be nominated and ap-
'pointed

1705. 'pointed for carrying on the ſaid Treaty, to depart the Kingdom in order thereto, until the ſaid 'Clauſe be repealed and reſcinded by the Parliament of *England*, and do therefore deſire this my 'Proteſtation may be marked, and recorded in the 'Records of Parliament. Which Proteſtation being Read, the Duke of *Athol* took Inſtruments thereupon, and the ſame was adhered to by 21 for the Nobility, 33 for the Barons, and 18 for the Royal Boroughs.

Three Days after, a Draught of an Addreſs to her Majeſty, preſented by the Earl of *Sutherland*, craving, that part of the *Engliſh* Act, declaring the Subjects of *Scotland*, to be *Aliens* born out of the Allegiance of the Queen of *England*, after the 25th of *December*, 1705, might be repealed, was Read: Likewiſe an Overture for an Act, ordaining and enacting, that the Commiſſioners to be named by her Majeſty for the Parliament of *Scotland*, ſhould not commence and enter upon the ſaid Treaty for the Union with *England*, until the ſaid Clauſe of the Act of the Parliament of *England*, intituled, *An Act for the more effectual ſecuring of the Kingdom of* England *be repealed, read.* It was alſo *Agreed* and *Ordered*, that the Commiſſioners to be named by her Majeſty for the Kingdom of *Scotland*, ſhould not commence the Treaty of Union, until the Clauſe in the *Engliſh Act*, declaring the Subjects of *Scotland Aliens*, be reſcinded.

On the 5*th* of *September* it was recommended to her Majeſties High Commiſſioner to have the Addreſs, which was approved the day before, preſented to her Majeſty. Then the Parliament read the firſt time, an Act, diſcharging the Importation of all Merchandize, and other Commodities, from *England*; an Act diſcharging the Importation of *Engliſh* or *Iriſh* tann'd Leather; an Act for taking off the Duty from Woollen and Linnen Manufactory; an Act for ſending Ambaſſadors from this Kingdom to Foreign Treaties, and ordered the ſame to be Printed. They alſo Read the firſt time, an Act, diſcharg-

ing

ing the Victualling of Ships of that Nation Outward bound, with *Iriſh* and Foreign Beef; or providing themſelves with Foreign Small Beer; and an Act diſcharging the Peers going into *England* without leave of the Privy Council: Which laſt being put to the Vote, it was carried in the Negative. The next day, Propoſals relating to the Arming and Training of 72000 Foot, and 8000 Horſe, by raiſing of a Months and an half Supply, was read and order'd to be Printed. It was mov'd, That the Addreſs to her Majeſty, laſt Seſſion of Parliament, in Relation to what was called in *England*, the *Scotiſh* Conſpiracy, might be Printed; which was agreed to. Then the Parliament proceeded to take into conſideration, the Act for a Treaty with *England*, and after ſome Amendments made upon the Clauſe, containing the Powers to be given to the Commiſſioners, the ſame was approved: And a Motion made, that there be an addition to the ſaid Clauſe, in theſe Terms; *That the Union to be treated on ſhall not derogate any ways from any Fundamental Laws, Ancient Privileges, Offices, Rights and Dignities, and Liberties of this Kingdom*, and after Debate it was put to the Vote, add the Clauſe, or not, and carried in the Negative. 1705.

The next day, the Act prohibiting and diſcharging the Importation of all Merchandize, and other Commodities from *England*, was again read, and after Debate, it was put to the Vote, proceed to a Prohibition in general, or of Particulars, and carried to proceed to a Prohibition of Particulars. Then it was Moved, That the Importation of Tobacco from *England* be one of the Particulars to be Prohibited, or not; and carried alſo in the Negative: On the 18*th* of the ſame Month, the Act prohibiting the Importation of Commodities from *England* was again read, and after reaſoning it was recommended to the Council of Trade, to conſider the Branches of Commerce with *England*, and other Places; and to bring in what Overtures ſhould be proper for advancing the Trade of this Kingdom. Then the Parliament pro-

1705. proceeded to consider the Act of Supply, which was again read, and after reasoning, it was put to the Vote to grant 6 Months Supply to her Majesty, extending to 432800 *l.* for maintaining the Army, Garrisons and Frigats for one year, or not, and carried in the Affirmative.

Three days after, the Lord Chancellor acquainted the Parliament, that the rest of the Papers relating to the late Plot, were now transmitted, and that they should be given to the Lord Clerk Register, to the effect any Member of Parliament might see the same. *Then it was Moved*, that the Act naming Publick Ministers for *Scotland*, to be present at Foreign Treaties, wherein the Kingdom might be concern'd, be again read, which was accordingly done, and after some Amendments upon the Clause, impowering her Majesty to send publick Ministers to Foreign Treaties, the same was agreed to, and after some Debate, and other Amendments made to the Act, it was put to the Vote, *approve the Act, or delay the Consideration thereof*, and carried, *approve the Act.*

After which the High Commissioner gave the Royal Assent to that, and some other Acts relating to Trade, and Adjourned the Parliament to the 20*th* of *December* following.

During this Adjournment of the *Scotch* Parliament, let us a little look at Home, and attend the New Parliament in *England*, who according to their last Prorogation from the 6*th* of *September*, Met the 25*th* of *October*; and having chosen *John Smith*, Esq; for their *Speaker*, Her Majesty came to the House the 27*th*, and made the following Speech.

My Lords and Gentlemen,

'I Have been very desirous to meet you as early as I thought you might be called together, without Inconvenience to your selves.

'And it is with much satisfaction, that I observe 'so full an Appearance at the opening of the Par'liament, because it is a Ground for me to conclude, 'you are all convinc'd of the necessity of prosecut-

'ing

'ing the Juſt War, in which we are engaged, and 1705.
'therefore are truly ſenſible that 'tis of the great-
'eſt Importance to us to be Timely in our Prepa-
'rations.

'Nothing can be more evident, than that if the
'*French* King continues Maſter of the *Spaniſh* Monar-
'chy, the Ballance of Power in *Europe* is utterly de-
'ſtroyed, and he will be able, in a ſhort time, to en-
'groſs the Trade, and the Wealth of the World.

'No good *Engliſh man* could at any time be con-
'tent to Sit ſtill and Acquieſce in ſuch a proſpect;
'And at this time We have great Grounds to hope,
'that by the Bleſſing of God upon our Arms, and
'thoſe of our Allies, a good Foundation is laid for
'Reſtoring the Monarchy of *Spain* to the Houſe of
'*Auſtria*; the Conſequences of which will not
'only be Safe and Advantageous, but Glorious for
'*England*.

'I may add, We have learnt, by our own Expe-
'rience, that no Peace with *France* will laſt longer
'than the firſt Opportunity of their Dividing the
'Allies, and of Attacking ſome of them with Ad-
'vantage.

'All our Allies muſt needs be ſo ſenſible, this is the
'true State of the Caſe, that I make no doubt but
'Meaſures will ſoon be concerted, as that, if We be
'not wanting to Our Selves, We ſhall ſee the next
'Campaign begin Offenſively, on all ſides, againſt
'Our Enemies, in a moſt vigorous manner.

'I muſt therefore deſire you, *Gentlemen of the*
'*Houſe of Commons*, to Grant Me the Supplies,
'which will be requiſite for carrying on the next
'Year's Service both by Sea and Land, and at the
'ſame time to conſider, that the giving all poſſible
'Diſpatch will make the Supply it ſelf much more
'effectual.

'The Firmneſs and Conduct which the Duke of
'*Savoy* has ſhewn amidſt extreme Difficulties, is be-
'yond Example.

'I have not been wanting to do all that was poſ-
'ſible for Me, in order to his being Supported.

'I

1705. ‘ I ought to take notice to you, that the King of
‘ *Prussia*'s Troops have been very useful to this End.
‘ Your Approbation of that Treaty last Sessions,
‘ and the Encouragement you gave upon it, leave
‘ Me no doubt of being able to renew it for another
‘ Year.

‘ I take this occasion to assure you, that not only
‘ whatever shall be granted by Parliament for bear-
‘ ing the Charge of the War, shall be laid out for
‘ that purpose, with the greatest Faithfulness and
‘ Management : But that I will continue to add
‘ out of my own Revenues, all I can reasonably spare,
‘ beyond the necessary Expences for the Honour of
‘ the Government.

My Lords and Gentlemen.

‘ By an Act of Parliament passed the last Winter,
‘ I was enabled to appoint Commissioners for this
‘ Kingdom, to Treat with Commissioners to be Im-
‘ powered by Authority of Parliament in *Scotland*,
‘ concerning a nearer and more compleat Union be-
‘ tween the two Kingdoms, as soon as an Act should
‘ be made there for that purpose; I think it proper
‘ for me to acquaint you that such an Act is lately
‘ passed there, and I intend, in a short time, to
‘ cause Commissions to be made out, in order to
‘ put the Treaty on foot, which I heartily desire
‘ may prove successful, because I am persuaded, that
‘ an Union of the two Kingdoms will not only prevent
‘ many Inconveniencies, which may otherwise hap-
‘ pen, but must conduce to the Peace and Happiness
‘ of both Nations, and therefore I hope I shall have
‘ your Assistance in bringing this great Work to a
‘ good Conclusion.

‘ There is another Union I think my Self oblig'd
‘ to recommend to you in the most earnest and
‘ affectionate manner, I mean an Union of Minds and
‘ Affections amongst our selves; It is that which would
‘ above all things Disappoint and Defeat the Hopes
‘ and Designs of our Enemies.

‘ I can-

1705.

'I cannot but with Grief obſerve, there are ſome 'amongſt us, who endeavour to foment Animoſities, 'but I perſuade my ſelf, they will be found to be 'very few, when you appear to aſſiſt me in Diſcoun-'tenancing and Defeating ſuch Practices.

'I mention this with a little more warmth, be-'cauſe there have not been wanting ſome ſo very 'Malicious, as even in Print to Suggeſt, the Church 'of *England*, as by Law Eſtabliſhed, to be in Dan-'ger.

'I am willing to hope, not one of my Subjects can 'really entertain a doubt of my Affection to the 'Church, or ſo much as ſuſpect that it will not be 'my chief Care to ſupport it, and leave it ſecure 'after me, and therefore we may be certain, that 'they who go about to Inſinuate things of this Na-'ture, muſt be mine and the Kingdom's Enemies, 'and can only mean to cover Deſigns, which they 'dare not publickly own, by endeavouring to di-'ſtract us with unreaſonable and groundleſs Diſtruſts 'and Jealouſies.

'I muſt be ſo plain as to tell you, the beſt Proofs 'We all can give, at preſent, of our Zeal for the 'Preſervation of the Church, will be to joyn heartily 'in Proſecuting the War againſt an Enemy, who is 'certainly engag'd to Extirpate our Religion, as well 'as to reduce this Kingdom to Slavery.

'I am fully reſolved, by God's Aſſiſtance, to do 'my Part.

'I will always affectionately Support and Coun-'tenance the Church of *England*, as by Law Eſta-'bliſhed.

'I will inviolably maintain the Toleration.

'I will do all I can to prevail with my Subjects 'to lay aſide their Diviſions, and will ſtudy to make 'them all Safe and Eaſie.

'I will endeavour to promote Religion and Virtue 'amongſt them, and to encourage Trade, and every 'thing elſe that may make them a Flouriſhing and 'Happy People.

'And

1705. ‘ And they, who ſhall concur zealouſly with Me
‘ in Carrying on theſe good Deſigns, ſhall be ſure to
‘ find my Kindneſs and Favour.

Both Houſes having Addreſt Her Majeſty upon this ſingular Speech, they immediately fell upon Buſineſs, and the Commons in a Grand Committee, reſolv'd, That a Supply ſhould be granted to her Majeſty, and ordered that Eſtimates of the Sea and Land Service, for the Year 1706, ſhould be laid before the Houſe: Soon after both Houſes renewed their Addreſſes to Her Majeſty, that ſhe would be pleaſed to Order all Papers relating to the Proceedings of the laſt Seſſions of the Parliament of *Scotland*, to be laid before the Houſe; which Orders Her Majeſty gave accordingly; and three Days afterwards, (the 15*th* of *November*) the Lords went upon the State of the Nation, Her Majeſty being preſent; where the Lord *Haverſham* made the following Speech:

My Lords,

‘ IT may perhaps be expected, ſince I moved you
‘ *the State of the Nation*, that I ſhould ſay ſome-
‘ what to you upon this Occaſion: And tho' I ne-
‘ never labour'd under *more Difficulties* than I do at
‘ preſent, yet being Conſcious to my Self of a *Heart*
‘ *full of Loyalty, and Duty to Her Majeſty, and Zeal*
‘ *for Her Service, as is poſſible for any Subject to have*;
‘ and knowing that *the beſt Way of preſerving Liberty*
‘ *of Speech in Parliament, is to make uſe of it*, I will
‘ mention three or four General Heads to your Lord-
‘ ſhips, and ſpeak to them with a great deal of Free-
‘ dom and Plainneſs.

‘ The firſt Thing I ſhall ſpeak to, is the *Preſent*
‘ *Confederate War*, in which we are engaged: And
‘ becauſe the beſt Way of judging what we may
‘ reaſonably expect for the future, is to conſider the
‘ Actions that are paſs'd, give me Leave a little to
‘ take Notice to your Lordſhips of the *Operations of*
‘ *the laſt Campaign*: I ſhall not ſay much of our

‘ *Forcing*

'*Forcing the* French *Lines, and our Beating the* French '*Troops afterwards*, (tho' that was a very Great and 1705.
'Brave Action) but becauſe there was ſuch a *mix-*
'*ture of Victory and Misfortune*, and that this is ſuch
'a Chequer'd Piece, I purpoſely forbear taking fur-
'ther notice of it.

'But there were Two other Actions, which I 'think take in our whole Campaign, *the March of* '*our Army to the* Moſelle, and the *Buſineſs of* Ove-'riſch; in both which give me leave to ſay, (not 'to give it a harder Term,) *I think We were not* '*uſed as We might have reaſonably expected.* Our Ge-'neral, with a great deal of Conduct, *cover'd Prince* 'Lewis *of* Baden's *Army*; nor can it be doubted he 'might eaſily have join'd Us, if he had pleaſed, with-'out the leaſt Danger from the *French*; which if he 'had done, by the beſt Account I could ever get, '(and I think I have a very True one,) We had been 'at leaſt *Five and Twenty Thouſand ſtronger than the* 'French *there*; but being diſappointed of being 'join'd by Prince *Lewis*, and of the Aſſiſtance we 'expected from him, *that Great Deſign proved* '*Abortive.*

'The next was the *Buſineſs of* Overiſch, where by 'the Conduct of my Lord Duke of *Marlborough* we 'had a fair Opportuity of *putting an End to the War* '*at once. The Dutch held our Hands, and would not let* '*Us give the Deciding Blow.*

'Thus ended your Campaign, tho' it began 'with more promiſing Hopes of Succeſs than this 'next I believe will: You had then an Enemy to 'deal with *whoſe Counſels were diſtracted, whoſe* 'Troops *were broke, and the Courage of his Army ſunk.*

'From all this give me leave to conclude, That 'it is neither Men nor Money, Courage and Con-'duct, that are the only Things neceſſary to carry 'on a Succeſsful Confederate War.

'Thoſe who command your Army are Men of 'that Bravery, and every Common Soldier hath ſo 'much Courage, that no equal Number of Men in 'the World, I think, can ſtand before them, but

' *let our Supplies be never ſo full and ſpeedy*, let our ' *Management be never ſo great and frugal*, yet if it be ' our *Misfortune to have Allies that are as ſlow and* ' *backward as We are zealous and forward, that hold* ' *our Hands, and ſuffer us not to take any Opportunity* ' *that offers, that are coming into the Field when we* ' *are going into Winter Quarters, I cannot ſee what it* ' *is we are reaſonably to expect.*

' The next Thing I ſhall take the Liberty to ſpeak ' to is the Point of *Trade:* Every one ſees how our ' Merchants go off daily, and how low the Trade of ' this Nation at preſent is. I know, my Lords, there ' is a *Word we are very fond of*, which We call the ' *Balance of Power*, but the *Dutch*, who are a *very* ' *Wiſe People*, have a double View, and *take as much* ' *Care of the Balance of Trade*, as *they do of the Balance* ' *of Power*; and are as fearful of *our Power at Sea*, ' as of the *Power of* France *by Land*. My Lords, the ' beſt Knowledge of Things is by their Cauſes; *'tis* ' *Trade begets Wealth*, as *Wealth begets Power*; and it ' ſeems very hard for *England*, that *while the* Dutch ' *live at Peace under the Protection of our Arms*, We, if ' we will have any part of Trade with them, *muſt* ' *have it under the Protection of their Paſſes:* But ' it will be yet much harder if, after their having ' the Advantage of a *Trading War*, we ſhould make ' a *Tradeleſs Peace.*

' I know, my Lords, *The* Dutch *generally complain* ' *they are very Poor; but give we leave to ſay, I cannot* ' *ſee how they have been* out of Pocket One Shilling ' *ſince this War*, for they have *more by* Remittances, ' *and Money from* England, *than all the Money that* ' *goes out of their Country to* Portugal, Savoy, *and the* ' German *Princes.*

' There is One Thing more which I take to be of ' the greateſt Importance to us all, 'tis this I had ' chiefly in my Intention, and with which I ſhall ' conclude what I have to ſay.

' But before I come to it give me leave to take ' Notice of One Thing to your Lordſhips, my ' Lords, *'Tis the Happineſs of* England, *and that which*

' *ever*

' *ever did, and ever will, keep the greateſt Miniſters in*
' *Awe, That by* the Law and Cuſtom of Parliament,
' *the meaneſt Member of either Houſe has undoubted*
' *Right to debate on any Subject, and to ſpeak his*
' *Thoughts with all Freedom, without being liable to be*
' *called in Queſtion by any Perſon* whatever, *till the*
' *Parliament itſelf hath firſt taken Notice of them.*
' This is grounded on the greateſt Equity and Rea-
' ſon, becauſe *that which concerns all, ſhall be deba-*
' *ted by all:* Nor is it poſſible for a Parliament to
' Debate, or come to a clear Reſolution on any
' Queſtion, or *to give Advice to Her Majeſty, as they*
' *ought, without this Freedom.* I give good Authority
' to juſtifie what I ſay; Sir *Robert Atkins* tells us
' in his Treatiſe of the Power and Priviledge of Par-
' liaments, of the Caſe of one Sir *Thomas Haxey*, in
' the Time of King *Richard* II, who having deliver'd
' a Petition to the King, with which he was diſ-
' pleaſed, *the King ſent to the Speaker to know who it*
' *was that delivered that Petition*; by which (ſays Sir
' *Robert*) it is apparent, the King cannot take Notice
' of any thing done in Parliament, (*he Names the*
' *Houſe of Commons*,) but as it is repreſented to him
' by the Houſe itſelf.

' Having ſaid this, give me leave to read to your
' Lordſhips a Paragraph of her Majeſty's Speech to
' her laſt Parliament laſt Year: *My Lords and Gen-*
tlemen, We have, by the Bleſſing of God, a fair
Proſpect of this Great and Deſirable End, if We
do not diſappoint it by our own unreaſonable Hu-
mour and Animoſity, the fatal Effects *of which We*
have ſo narrowly eſcaped in this Seſſion, than it ought to
be a ſufficient Warning againſt any dangerous Experi-
ments for the future.

' I ſhall not go about to ſhew the Grammatical
' Conſtruction of theſe Words, but chuſe rather to
' ſay, That as we enjoy many Bleſſings under her
' Majeſty's happy Government, ſo I hope we ſhall
' have this too, *That her Majeſty will never give Ear*
' *to any ſecret and private Information, but as it comes*

' *to Her in a Parliamentary Way by the Houſes them-*
' *ſelves.*

' The laſt Thing, my Lords, is that which I take
' to be of the greateſt Concernment to us all, both
' Queen and People: I love always to ſpeak very
' plain, and ſhall do ſo in this Point.

' My Lords, *I think there can be nothing more for*
' *the Safety of the Queen, for the Preſervation of our*
' *Conſtitution, for the Security of the Church, and for*
' *the Advantage of Us all, than if the* Preſumptive
' Heir to the Crown, *according to the Act of Settle-*
' *ment in the Proteſtant Line*, ſhould be here amongſt
' us. 'Tis very plain that nothing can be more for
' the *Security of any Throne*, than to have a *Number of*
' *Succeſſors* round about it, whoſe *Intereſts is always*
' to Defend the Poſſeſſor from any Danger, *and pre-*
' *vent any Attempt againſt him and revenge any Injury*
' *done him.* Is there any Man, my Lords, who doubts
' that if *the Duke of* Gloceſter *had been now alive her*
' *Majeſty had not been more Secure than ſhe is?* We can-
' not think of that Misfortune without the greateſt
' Grief, but yet we are *not to neglect our own Safety*;
' and tho' a Succeſſor be not the Child of a Prince,
' yet is he *the Child of the Queen and the People.*

' Beſides, my Lords, the *Heats and Differences*
' which are among us make it very neceſſary that
' we ſhould have the *Preſumptive Heir reſiding here*:
' *The Duty and reſpect we pay her Majeſty, and the Au-*
' *thority of the Law, can hardly keep us in Peace and*
' *Union amongſt our Selves at preſent*: What then may
' we not fear when *theſe Bonds* ſhall ever happen to
' *be broken?*

' And would it not be a great Advantage to the
' Church for the *Preſumptive Heir* to be perſonally
' acquainted with *the Reverend the Prelates?* Nay,
' would it not be an Advantage to all *England*, that
' whenever the Succeſſor comes over he ſhould not
' bring a *Flood of Foreigners along with him, to eat up*
' *and devour the Good of the Land?*

' I will ſay no more to your Lordſhips, but con-
' clude with this *Motion.*

' That

'*That an Humble Addreſs be preſented to Her Ma-*
'*jeſty by this Houſe, That Her Majeſty will be gra-*
'*cioufly pleas'd to Invite the Preſumptive Heir to the*
'*Crown of* England, *according to the Acts of Parlia-*
'*ment made for Settling the Succeſſion of the Crown*
'*in the Proteſtant Line, into this Kingdom, to reſide*
'*here.*

This Motion was back'd by ſome Lords, but oppoſed by a great Majority, ſo that after a Debate of Four Hours, the Queſtion being put, *Whether the Princeſs* Sophia *ſhould be ſent for over into* England, *or not?* The previous Queſtion was put, whether that Queſtion ſhould be put? And carried in the Negative. However, ſome Lords who were for inviting the Princeſs *Sophia* to come over enter'd their Proteſt in the following Words: *We humbly conceive that having a Preſumptive Heir to the Crown reſiding in the Kingdom, it will be a great Strengthening to Her Majeſty's Royal Hands, in the Adminiſtration of the Government, and Security of Her Majeſty's Royal Perſon, and of the Succeſſion to the Crown, as by Law Eſtabliſh'd, in the Proteſtant Line.*

Tho' the Majority of the Houſe of Peers did not think fit to invite the Princeſs *Sophia* to come into *England*, yet to ſhew their Zeal for the Security of the *Hanover* Succeſſion they appointed the 19th of the ſame Month (*November*) to take the ſame into Conſideration. The Queen was preſent in that Day's Debate, which being over, it was carried without dividing, That *a Bill* be brought in *for the better Security of her Majeſty's Perſon and Government, and of the Succeſſion to the Crown of* England *in the Proteſtant Line; and that for continuing the Adminiſtration of the Government in the Name of the next Proteſtant Succeſſor, (that may happen to be out of this Kingdom, at the time of her Majeſty's Demiſe,) until her or his Arrival, the Archbiſhop of* Canterbury, *the Chancellor or Lord-Keeper of the Great Seal, the High Treaſurer, the Preſident of the Council, the Lord Privy Seal, the High Admiral, and the Lord Chief Juſtice of the Queen's*

Bench, at that time being, be conſtituted Lords Juſtices of England, *and impower'd in the Name of ſuch Succeſſor to Act as if preſent.* This Bill the Judges brought in accordingly Two Days after; and, at the ſame time, the Lords ordered another Bill to be brought in for Naturalizing the Houſe of *Hanover*, being Proteſtants.

The next Day the Lord *Haverſham* mov'd in the Houſe of Peers, that the Miſcarriages of the laſt Campaign, occaſioned by the Allies, might be inquir'd into, which being put to the Vote was carried in the Negative by a great Majority. The 23d their Lordſhips went upon the *Scotch* Affairs, the Queen being preſent, and after a long Debate reſolv'd, 'That in order to come to an Union with 'the Kingdom of *Scotland*, the Act paſs'd the laſt 'Seſſion of the Preceeding Parliament, entituled, *An 'Act for the effectual ſecuring the Kingdom of* England '*from the Apparent Dangers that may ariſe from ſeveral 'Acts lately paſſed in the Parliament of* Scotland, ſhould be repealed, except the Clauſe that empowers her Majeſty to appoint Commiſſioners to treat of an Union with that Kingdom; Order'd the Judges to bring in a Bill for that Purpoſe, and that a Committee ſhould Sit thereon; and reſolv'd, That the Thanks of their Houſe ſhould be given to her Majeſty, for her Care about *Scotland*, and for her promoting the Intereſt of that Kingdom by the Succeſſion to the Crown in the Proteſtant Line.

Whilſt theſe Things paſt in the Houſe of Lords, the Commons were zealouſly proceeding in the Publick Buſineſs; and having reſolved on an Additional Supply for profecuting the War in *Spain*, they took into Conſideration in a Grand Committee the Papers relating to the Proceedings of the Parliament of *Scotland* concerning the Union, and the Succeſſion of the Crown of that Kingdom in the Houſe of *Hanover*; at which Time there was a Motion made, that the Princeſs *Sophia* ſhou'd be invited into *England*, and after a warm Debate the Queſtion was put, whether the Chairman of the Committee

Committee ſhou'd leave the Chair? Which was carried without dividing, and ſo that Notion dropt.

Notwithſtanding what her Majeſty was pleas'd to ſay in her Firſt Speech to this Parliament, a great many People made it their Buſineſs to inſinuate, *That the Church of* England *was in Danger*. Wherefore to juſtifie her Majeſty's Aſſertion to the contrary, and to remove all unreaſonable and ill-grounded Jealouſies, the Lord *Halifax* moved the Houſe of Peers, That a Day might be appointed to enquire into this pretended Danger. The 6th of *December* being appointed accordingly, the Lord *R———r* began the Debate, (in which the Queen was preſent,) and told their Lordſhips, 'That the 'Subject Matter of it was of ſo tender a Nature that 'it was difficult to ſpeak it; for her Majeſty had 'expreſs'd herſelf ſo concluſively in her Speech, that 'it ſeem'd to be to Contradict the Queen, *to ſpeak* 'freely; but in regard that the Miniſters might be 'ſuppoſed to Compoſe the Speeches, he deſired that 'what he ſaid might not be offenſive to the Queen, 'to whom he had all the Affection and Reſpect that 'could be. He added, that Miniſters might miſtake, 'and not always act for the Publick Good; and 'Inſtanced in the Miniſtry of *Portugal*, where the 'King was our Friend, the Miniſtry ſeem'd to be 'otherwiſe; inſomuch that that Alliance was of no 'Benefit to us; That the Duke of *Buckingham* and 'Archbiſhop *Laud* were Heartily in the Intereſt of 'King *Charles* I. and did many things that very 'much Injured him. The full Expreſſions in the 'Queen's Speech he compared to the Law in King 'Charles II's Time, to make it Treaſon to call the 'King a Papiſt, for which very Reaſon, he ſaid, he 'always thought him ſo. The Reaſons he gave for 'his Fear of the Church's Danger aroſe from theſe 'Three Cauſes; firſt, the Act of Security in *Scotland*; 'ſecondly, the Heir of the Houſe of *Hanover* not be-'ing ſent for over; thirdly, the not paſſing the *Oc-'caſional Bill*. Upon the firſt he ſaid the Presbyte-'rian Church in *Scotland* was fully Eſtabliſh'd with-

‘ out a Toleration; That to Arm that People was
‘ to give them a Power to Invade *England*, where
‘ they had a powerful Party for their Friends, who
‘ never wanted the Will to deſtroy the Church; That
‘ he thought the Heir to the Crown ought to be pre-
‘ ſent among us, in order to be fully acquainted with
‘ us, and our Conſtitution, and thereby enabled to
‘ prevent any Evil Deſigns upon the Church and
‘ State; and that the *Occaſional Bill* was in itſelf ſo
‘ reaſonable, and the Church's Requeſt in it ſo ſmall,
‘ that the Induſtry for oppoſing it gave the greater
‘ Ground for its Suſpicion. When that Noble Lord
‘ had ended, the Houſe ſate ſtill near a quarter of an
‘ Hour, expecting ſome Body would Second him,
‘ but no Body elſe ſpeaking on that Side, the Lord
‘ *H*———*x* ſaid, that he having mov'd for the pre-
‘ ſent Debate, it might be expected that he ſhould
‘ ſpeak to it. He ſaid, ‘ The Act of Security in
‘ *Scotland* was a National Thing, wholly Foreign
‘ to Church Affairs; That it was paſſed only to
‘ prevent immediate War, which the *Scots* ſeem'd
‘ to have reſolved upon; That in Caſe it ſhould
‘ ever be made uſe of it would be but as other
‘ Wars with that Nation had been in former Days,
‘ wherein *England* was alway able to defend itſelf,
‘ and would be ſure, hereafter, more able to do it,
‘ inſomuch as the Strength of *England* was encreaſ-
‘ ed much more than that of *Scotland*; ſo that un-
‘ leſs *France* ſhould come into the Quarrel, whoſe
‘ Hands were already too full to do, it would ſig-
‘ nifie little: But that Bleſſed be God Things were
‘ ſo well compromiſed with the *Scots*, and their
‘ former Heats ſo much abated, that there was
‘ no reaſon to doubt of an Amicable Iſſue of that
‘ Difference. As to the Houſe of *Hanover*, he ſaid,
‘ that was a Danger but of Eight Days ſtanding;
‘ for he durſt ſay a Fortnight ago no Body made
‘ the Abſence of the Princeſs *Sophia* a Danger to
‘ the Church; and as for her Abſence upon the
‘ Queen's Death, that was now ſo well to be pro-
‘ vided

'vided for, by the Act for Lords Juſtices, that he 'thought no Evil could poſſibly happen to the 'Churches before her Arrival; That he wondred the 'Houſe of *Hanover* ſhould be now eſteemed ſuch a 'Security to the Church, whereas, when the Laws 'were made for the Security of that Succeſſion, it 'was generally reckon'd a Hardſhip upon the 'Churches, and a Clergy-Man, in a Company of 'Convocation Men, had openly called her an Un-'baptized *Lutheran*, the Truth of which he could 'prove. As to the *Occaſional Bill*, he ſaid, That 'Matter had been canvaſſed already, and it was then 'the Opinion of that Houſe that it could not prove 'of any Advantage and Security to the Church, but 'rather the contrary. That upon the whole there 'had been Times in our Memory wherein the 'Church might be ſaid to be in Danger. King '*Charles* the Second was a *Roman* Catholick, at 'leaſt his Brother thought fit to declare it after his 'Death, and the Succeſſor, who had the Ma-'nagement of all Affairs, was known to be ſuch, 'and yet the Church thought herſelf then ſecure, 'and thoſe Patriots that ſtood up in its Defence, 'and endeavoured to prevent the Evils which 'might enſue from a *Popiſh* Succeſſion, were Diſ-'countenanced and Puniſhed: Nay, when that Suc-'ceſſor came to the Throne, and that the Church 'was very apparently in the greateſt Danger by the '*High Commiſſion* Court, and otherwiſe, we were 'then indeed generally allarmed; but we know 'who ſat in that Court, and went large Steps in the 'Work then on Foot. That ſoon after the Acceſ-'ſion of King *William* to the Crown the Cry of 'the Church's Danger began, and was continued all 'his Reign; but with what Ground he was yet 'unacquainted with; That upon her Majeſty's 'happy Succeſſion for ſome time the Complaint 'was Silent; but that when ſhe was pleaſed to 'make ſome Alterations in her Miniſtry, it was im-'mediately revived, and ever ſince continued; and

'then

'then concluded that the *Church was* now *in no manner of Danger*. The Biſhop of *L*——*n* coming 'into the Houſe juſt as the laſt Words were deli-'vered, immediately took the other Lord up, giv-'ing for his Reaſon *of the Church being in Danger*; 'That Prophaneneſs and Irreligion was ſo rife a-'mong us, and the Licenciouſneſs of the Preſs ſo 'intolerable, that a moſt Vile Book had been lately 'Publiſhed by a Clergy-Man in his Dioceſs, (meaning 'Mr. *Hickeringhil*) who he endeavoured to puniſh, 'but that he had ſuch Subterfuges in the Quirks of 'the Law that he could not come at him; and 'that Sermons were preached wherein Rebellion 'was Authorized, and Reſiſtance to the Higher 'Powers Encouraged. To this the Biſhop of 'S——*m* reply'd, That his Lordſhip ought to have 'been the laſt Man to complain of that Sermon, '(meaning Mr. *Hoadley* before the Lord Mayor,) for 'if the Doctrine of that Sermon was not good, he 'did not know what Defence his Lordſhip could 'make for his Appearing in Arms at *Nottingham*. 'Then his Lordſhip proceeding to the Queſtion in 'Debate, inſtanc'd in a Piece of *French* Hiſtory in 'the Reign of *Henry* the III, (which he ſaid had 'been much in Vogue of late in a Neighbouring 'Houſe,) in whoſe time the Catholicks ſet up the 'ſame Cry of the Church's Danger from the *Hu-'gonots*, and forced the King to comply with them; 'but that their Power thereby becoming great, 'they turned it upon the King himſelf, and he 'found he ſhould be thruſt into a Monaſtery if 'he did not ſpeedily Cruſh them, and therefore 'Stabbed the Duke of *Guiſe*, their Head. He then 'compared our State of Affairs with the other, 'and imputed all this preſent Clamour to the Am-'bition and Diſcontent of particular Men. To the 'Reaſons that Noble Lord who began the Debate 'gave for the Church's Danger, he replied, 'That as to the *Scotch* Affairs he was particularly 'acquainted with them, and therefore he 'would venture to ſpeak with the more Aſſu-

'rance:

'rance: That the *Scotch* Kirk being Eſtabliſhed 'without a Toleration, was an unfair Allegation, 'for there needed no Law for Toleration where 'there was no Law to inhibit. The Epiſcoparians 'were not forbid to Worſhip God their own Way, 'being only excluded from Livings; and that there 'were at that time Fourteen Epiſcopal Meeting-'Houſes in *Edinburgh*; as open as the Churches, 'and as frequently reſorted to, in many of which 'the *Engliſh* Liturgy was uſed; but that in ſeveral 'of them the Queen was not prayed for; and the 'Bill for giving Patrons Liberty of Conferring their 'Benefices on Clerks Epiſcopally Ordained had 'paſſed, (at leaſt the King had allowed it,) if they 'would have put in a Clauſe to oblige them to take 'the Oath to the Government, but upon the of-'fering that Clauſe the Perſon that ſollicited it let 'it Drop. That the Lord who had mention-'ed the Act of Security, if he had looked 'Two Years backwards might have found 'another Law, which ſeem'd much more to his 'Purpoſe, namely, the Act for Confirming Preſ-'bytery, 1 *Annæ*; but his Lordſhip was a Mini-'ſter of State when that Act paſſed, and ſo per-'haps adviſed it. As to the Argument of the '*Hanover* Family, it was not obſerved that that No-'ble Peer offered any thing remarkable; and for 'the Act againſt *Occaſional Conformity*, he ſaid, it 'had been there ſufficiently argued, and he was glad 'that they were rid of it; but for what a Noble 'Prelate had advanced, he own'd, that the Church 'would always be ſubject to the Enmity of Pro-'phaneneſs and Irreligion; That the Devil would 'have his Agents in the World, be the Govern-'ment never ſo Careful; but he hoped he might 'ſay, that Irreligion and Prophaneneſs were not 'now at an higher Pitch than uſually; That he ho-'ped quite the contrary, and thought the Society 'ſet up for Reformation in *London*, and other 'Cities, had contributed conſiderably to the Sup-'preſſion of Vice. He was ſure the Corporation

'for

'for Propagation of the Gospel had done a great 'deal towards Instructing Men in Religion, by 'giving great Numbers of Books in Practical Divi-'nity, by erecting Libraries in Country Parishes; 'by sending over many Able Divines to the Foreign 'Plantations; erecting Libraries for their Use, and 'setting up Schools to breed up Children in Chri-'stian Knowledge; That to his Knowledge 1200 *l.* 'had been expended last Year in Books to these 'Purposes, all Collected by Voluntary Contribu-'tion; *but* in Truth *very little from those who ap-'peared so wonderfully Zealous for the Church.* That 'the Press was indeed become very Licentious, 'and Sermons were preached, wherein very strange 'Expressions were published: That he would 'read some of them to their Lordships; and then pulling out *Tilly*'s and *Madder*'s Sermons, and having read some Paragraphs, 'These, said he, were 'preached at *Oxford*, and these are the Men picked 'out for Publick Occasions. Then the Lord Archbishop of *Y*———*k* standing up, said, he apprehended Danger from the *Encrease of Dissenters*, and particularly from the many Academies set up by them; and moved, *That the Judges might be consulted what Laws were in Force against such Seminaries, and by what Means they might be suppressed.* Hereupon the Lord *W*———*n* moved, 'That the Judges might 'be consulted about Means of suppressing Schools 'and Seminaries held by *Nonjurors*, in one of which 'a Noble Lord of that House had both his Sons 'Educated: At which the same Archbishop stood 'up again, and said, He was the Person meant, 'and therefore he must explain that Matter. He 'own'd his Two Sons were taught by Mr. *Ellis*, a 'Sober, Virtuous Man, and a Man of Letters, who 'had qualified himself according to Law when 'they were sent to him; but when the Abjuration 'Oath was enjoined that it seems he refused it, 'which as soon as he was inform'd of he took his 'Sons from him. The Lord *W*———*n* having made a Reply to this, went on, and said, 'That 'altho' he had been Born and Bred a Dissenter, yet 'he

' he ſoon Conformed to the Church when he grew
' up, and became acquainted with its Doctrine and
' Diſcipline; That he was now firmly reſolved by
' God's Bleſſing always to continue in that Church,
' and would go as far in Defending it as any Man;
' wherefore if he were now ſenſible that it was in
' any Danger he would be heartily ready in Pro-
' viding Remedies againſt it; but that after all the
' Cry and Expectation they were ſcrewed up to of
' hearing wherein thoſe Dangers conſiſted, it ap-
' peared juſt as he expected, namely, That it was
' only repeating the *Memorial*, which Pamphlet he
' had carefully read over, but could learn nothing
' from it, except that the D—— of *B*——,
' the E—— of *R*—— the E—— *N*——
' were out of Place. What theſe *B*'s, *R*'s, and
' *N*'s meant, he could not tell, perhaps there might
' be ſome Charms in it for the Church's Security;
' but if thoſe Letters meant ſome Noble Peers there
' preſent, he remembred very well that ſome of
' them Sat in the *High Commiſſion Court*, and then
' made no Complaints of the Church's Danger; but
' now that we had a Queen, who was Herſelf a
' Real Lover of the Church, and had given ſuch
' Encouragement and Bountiful Tokens of her Af-
' fection for it, we muſt be amuſed with the
' Church's Danger: But he concluded with being
' of Opinion, *That the Church was in no Danger.*
' Then the Biſhop of *E*——*y* ſtood up, and mo-
' ved, 'That the Judges alſo might be conſulted
' what Power the Queen had in Viſiting the Uni-
' verſities; complaining of the Heat and Paſſion of
' the Gentlemen there, which they inculcated into
' their Pupils, who brought the ſame Fury with
' them to the Pariſhes when they came Abroad, to
' the great Diſturbance of Publick Charity. That
' at the Election of *Cambridge* 'twas ſhameful to
' ſee 100 or more young Students encouraged in
' Hollowing like School-Boys and Porters, and cry-
' ing out, *No Fanaticks, no Occaſional Conformity,*
' againſt Two worthy Gentlemen that ſtood Candi-

' dates

'dates. Adding another Complaint of *the Undutifulneſs of the Clergy to their Biſhops, and the Difficulty the latter had to govern them regularly.* The Biſhop of *L*—— and *C*—— made the ſame Complaint; and 'Spoke of the Oppro-'brious Names the Clergy gave their Biſhops, 'and of the Calumnies they laid on them, 'as if they were in a Plot to deſtroy the Church, 'and had compounded to be the laſt of their 'Order, and when the Plot was ripe, to re-'ſign their Biſhopricks, and accept a Penſion for 'Life. He alledged, that the Church was as well 'Govern'd as it had at any time been; challeng'd 'any Body to charge the Biſhops with any Omiſſi-'on of their Duty, or any Action wherein they 'ſtrained or injured any Body. Then he menti-'on'd the Honour he had to ſuffer in a good Cauſe: 'Adding, he thought it might have protected his 'Reputation from the Calumny of being an Ene-'my to the Church. The Biſhop of *B*—— and *W*—— complained of the Terms of the *High Church* and *Low Church:* Saying, 'That it was an 'invidious Diſtinction, tending to ſet us at Enmi-'ty; That by *High Church* People were made to 'believe a Man inclined to *Popery*, or at leaſt one 'that endeavoured to carry Church-Power beyond 'our Conſtitution, which he thought was great 'Injuſtice to the Gentlemen that bore that Cha-'racter, who meant nothing more than to keep up 'the juſt Dignity and Diſcipline of the Church: 'Neither did he believe that the others called the '*Low Church* had any Deſigns of Lowering or Le-'velling it with Presbytery, as was on the other 'Hand maliciouſly ſuggeſted. The D—— of *L*—— ſtood up, and ſaid, 'He apprehended the 'Church in Danger, and could not be ſafe without 'the Act againſt Occaſional Conformity: Adding, 'that the Q—— had in Diſcourſe with him de-'clared herſelf of that Opinion. The Lord '*S*——*s* recapitulated all the Arguments on both Sides, added his own Judgment, and ended with a Decla-

Declaration, 'That the Nation was happy, and under a moſt wiſe and juſt Adminiſtration, wherein the Publick Money was juſtly applied, the Treaſury kept in a moſt regular Method, aud thereby the Publick Credit in the higheſt Eſteem; the Armies and Fleets were ſupplied, and the Succeſs of her Majeſties Arms gave the Nation greater Honour and Reputation than had been known; and that we had a fair Proſpect of bringing the War to a happy Concluſion, to the Immortal Honour of the preſent Age, and the Inexpreſſible Benefit and Safety of Poſterity: Wherefore for Men to raiſe Groundleſs Jealouſies at this time of Day, could mean no leſs than an Intention to Imbroil us at Home, and to Defeat all thoſe Glorious Deſigns Abroad. The Debate at length being over, the Queſtion was put, whether the Church of *England* was in Danger? And upon a Diviſion was carried in the Negative by a Majority of 61 Voices againſt 30: And then their Lordſhips made the following Reſolve, *viz.* Reſolved, *By the Lords Spiritual and Temporal, That the Church of* England, *as by Law Eſtabliſhed, which was Reſcued from the Extreameſt Danger by King* William *the Third, of Glorious Memory, is now by God's Bleſſing under the Happy Reign of her Majeſty in a moſt Safe and Flouriſhing Condition; and whoever goes about to Suggeſt and Inſinuate, That the Church is in Danger under her Majeſties Adminiſtration, is an Enemy to the Queen, the Church, and the Kingdom.*

However, many Lords oppos'd this Reſolve, and enter'd their Reaſons for Diſſenting thereto.

The next Day the Lords ſent a Meſſage to the Commons, to acquaint them with their Proceeding in Relation to the Church, and to deſire their Reſolution and Concurrence therein: Thereupon it was put, whether they ſhou'd conſider that Meſſage in a Committe, or in a full Houſe? And carried for the latter: And after ſeveral very warm Debates, the Commons

Commons agreed with the Lords in the following Addreſs to Her Majeſty.

'WE Your Majeſties moſt Dutiful and 'Loyal Subjects, the Lords Spiritual 'and Temporal, and Commons in Parliament 'Aſſembled, having taken into Conſideration 'Your Majeſties moſt Gracious Speech at the 'Opening of this Parliament, have, upon Ma'ture Deliberation, come to the following Reſolu'tion.

Reſolv'd, By the Lords Spiritual and Temporal, and Commons in Parliament Aſſembled, That the Church of England, *as by Law Eſtabliſh'd, which was reſcued from the Extreameſt Danger by King* William *the Third, of Glorious Memory, is now by God's Bleſſing, under the Happy Reign of her Majeſty, in a moſt Safe and Flouriſhing Condition; and that whoever goes about to Suggeſt and Inſinuate, That the Church is in Danger under her Majeſties Adminiſtration, is an Enemy to the Queen, the Church, and the Kingdom.*

'Which we humbly beg Leave to lay before 'Your Majeſty, and as Your Majeſty has been 'pleas'd to expreſs a Juſt Indignation againſt all ſuch 'Wicked Perſons, ſo we aſſure Your Majeſty, 'That we ſhall be always ready, to the utmoſt of 'our Power, to aſſiſt Your Majeſty in Diſcounte'nancing and Defeating their Practices: And we 'humbly beſeech Your Majeſty to take effectual Mea'ſures for the making the ſaid Reſolution Publick, 'and alſo for Puniſhing the Authors and Spreaders 'of theſe Seditious and Scandalous Reports; to the 'End that all others may for the future be deter'd 'from endeavouring to Diſtract the Kingdom 'with ſuch Unreaſonable and Groundleſs Di'ſtruſts and Jealouſies. Which being preſented by Both Houſes, her Majeſty was pleaſed to Anſwer,

My

1705.

My Lords and Gentlemen,

I Shall freely comply with your Addreſs, and am very well pleas'd to find Both Houſes of Parliament ſo forward to join with me in putting a ſtop to theſe malicious Reports. And according to the Deſire of Both Houſes in the foremention'd Addreſs her Majeſty order'd a Proclamation to be Iſſued out for making their Reſolution Publick.

On the 19th of *December* an Ingroſſed Bill from the Lords, Entituled, *An Act for the better Security of Her Majeſties Perſon and Government, and of the Succeſſion to the Crown of* England *in the Proteſtant Line*, was read a Second time. And *Charles Cæſar*, Eſq; upon the Debate of that Bill, ſtanding up in his Place, ſaid the Words following, (which were directed by the Houſe to be ſet down in Writing at the Table) *There is a Noble Lord, without whoſe Advice the Queen does nothing, who in the late Reign was known to keep a conſtant Correſpondence with the Court at St.* Germains: And then endeavouring to excuſe himſelf, and being call'd upon to withdraw, and he being withdrawn accordingly, and a Debate ariſing thereupon, the Houſe *Reſolv'd* that the ſaid Words were highly Diſhonourable to her Majeſties Perſon and Government; and that the ſaid *Charles Cæſar* for his Offence ſhou'd be committed Priſoner to the *Tower*.

The Lords having by the Regency Bill, (Entituled, *An Act for the better Security of Her Majeſties Perſon and Government, and the Succeſſion to the Crown of* England *in the Proteſtant Line*) repeal'd the Clauſe inſerted in an Act paſs'd ſome Years before for ſetling the Succeſſion, by which all Civil and Military Officers were made incapable to Sit and Vote as Members of the Houſe of Commons after Her Majeſties Deceaſe; and having ſent down that Bill to the Houſe of Commons for their Concurrence, the latter, who ſaw that Dike againſt the future Power and Influence of the Court thrown down, re-

ſolv'd in ſome Meaſure to repair it, by admitting only 47 Civil and Military Officers into their Houſe; and amongſt them Ten Privy Councellors, Five Flag Officers, and as many Land Generals. The Bill thus amended was ſent up again to the Lords, who made ſome Alterations to the Clauſe inſerted by the Commons, their Lordſhips Excluding only the Commiſſioners of the Prize Office, and all ſuch new Officers as the Court might create for the time to come. Two Conferences were held about theſe reſpective Amendments between the Two Houſes; and the Report of the latter Conference being made in the Houſe of Commons on the 15th of *February*, the ſame occaſion'd a long and warm Debate. 'The C——t Party endeavoured to ſhew the Injuſtice of Excluding from the Houſe ſuch as are actually performing Services to the Nation: Urging, that as all Counties and Corporations of *England* having by their Charters Liberty to elect ſuch as they think beſt qualify'd to repreſent them in Parliament, they ſhould in great Meaſure be deprived of that Liberty by this Excluſion of ſeveral Officers Military and Civil, who by Reaſon of the great Eſtates they have in thoſe Corporations ſeldom fail, and have more Right than any others to be choſen; and that the Excluſion of thoſe Officers would very much abate the Noble Ardour which ſeveral Gentlemen ſhew at this Juncture, to ſerve the Nation in this Juſt and Neceſſary War; ſince they could not but look upon it as a Diſgrace to be made incapable of Serving likewiſe their Country in Parliament. The oppoſite Party, which conſiſted in thoſe call'd *High-Church*-Men, with whom not a few *Low-Church*-Men were joined on this Occaſion, ſhew'd the ill Uſe a Bad Prince might make of a Parliament, in which there ſhould be many of his Creatures, ſuch as generally are all thoſe that have Imployments immediately depending on the Crown; and their Arguments had ſuch Weight, that the other Party foreſeeing they ſhould loſe the Queſtion,

agreed

agreed to the Poſtponing of Three of the Lord's Amendments, having already agreed to One of them. But Three Days after the C——t Party being reinforc'd by the Return of thoſe, who for ſome time had Voted on the contrary Side, the Lords Amendments were approv'd, with ſome ſmall Alteration, to which their Lordſhips agreed the Day following.

Soon after, (the 27th of *February*) upon the Petition of the Biſhop of *Cheſter*, and Gentry, and Clergy of the South Parts of *Lancaſhire*, complaining of the intolerable Boldneſs and Preſumption of the Romiſh Prieſts and Papiſts, in employing all their Arts and Devices in ſeducing and perverting Her Maſters Proteſtant Subjects, a Bill was order'd to be brought in for making more Effectual an Act of the 11th of King *William*; 'Whereby all Papiſts 'ſhould within Sixth Months after they had reach'd 'the Age of Eighteen, take the Oaths of Allegi-'ance and Supremacy, or declare themſelves Pro-'teſtants, in Default whereof their Eſtates were to go 'to the next Heirs being Proteſtants. Now to make this Clauſe Binding, it was intended by this Bill, that all Papiſts, or reputed Papiſts, ſhou'd not only take ſuch Oaths, or declare themſelves Proteſtants, but ſhou'd alſo prove within the Six Months that they had made ſuch a Declaration.

But tho' this Bill was ſtrenuouſly carried on, and attain'd a Third Reading, yet it met with Oppoſition from thoſe who alledg'd, 'That the depri-'ving Papiſts of their Eſtates was almoſt as hard as 'taking away their Lives, and would look as if 'they approv'd the Perſecutions Exercis'd by the '*French* King, and other Catholick Princes, over 'their Proteſtant Subjects; and that ſuch an Act 'would certainly diſoblige the Roman Catholick 'Powers in Alliance with *England*; ſome of 'whom, out of Reſpect to the *Engliſh* Nation, 'had lately ſhew'd ſome Favour to their Proteſtant 'Subjects. There was little ſaid againſt theſe

Reaſons, and ſo the Bill was rejected.

And now the greateſt Buſineſs of the Seſſion being over, and the neceſſary Acts before the Houſe ready for the Royal Aſſent, Her Majeſty came (*March* the 19th) to the Houſe of Peers, and having touch'd them with the Scepter, made the following Speech to Both Houſes.

My Lords and Gentlemen,

'BEing now come to a Cloſe of this Seſſion, I am to return you my Thanks for having brought 'it ſo ſpeedily to a good Concluſion; eſpecially for 'the Wiſe and Effectual Proviſion made to ſecure 'the Proteſtant Succeſſion in this Kingdom, and 'the great Advances on your Part towards 'procuring the like Settlement in the Kingdom of *Scotland*, and a happy Union of Both Nations.

'I am very well pleaſed likewiſe with the 'Steps you have made for the Amendment 'of the Law, and the better Advancement of 'Juſtice.

'I muſt again repeat to you, *Gentlemen of 'the Houſe of Commons*, that I am extreamly 'ſenſible of the Diſpatch you have given to 'the Publick Supplies; I aſſure you I will be 'very careful that they may be applied in the 'moſt effectual Manner for our Common Intereſt.

My Lords and Gentlemen,

'At the Opening of this Parliament I recommended with great Earneſtneſs an entire Union of 'Minds and Affections among all my Subjects, 'and a ſincere Endeavour to avoid and extinguiſh 'all Occaſions of Diviſion and Animoſity; I am 'much pleaſed to find how entirely your Sentiments 'have agreed with mine. Your Unanimity and 'Zeal, which I have obſerved with great Satisfaction throughout this whole Seſſion, againſt every

'Thing

'Thing that tends towards Sedition, doth ſo 'much diſcourage all ſuch Attempts for the fu- 'ture, and hath ſet ſuch an Example to the whole 'Kingdom, that when you are return'd into your 'ſeveral Countries I doubt not but you will find 'the Effects of it everywhere, and I aſſure my 'ſelf you will make it your Care and Buſineſs to 'improve and perfect that good Work you have ſo 'far advanc'd here; and by continuing to ſhew a 'juſt diſlike of all Factions and Turbulent Pro- 'ceedings, and reſolving to diſcountenance the 'Encouragers of them, you will ſoon make the 'whole Kingdom ſenſible of the good Effects of 'ſo prudent and happy a Conduct.

Then the Lord Keeper, by her Majeſties Command, Prorogued the Parliament to the 21ſt of *May* following.

Having diſpatch'd the principal Buſineſs at Home, let us ſee what was done abroad.

The Troops on all Sides began now to take the Field, and great Expectations were drawn from the enſuing Campaign, eſpecially in *Spain*, which was likely about this time to decide the War one Way or other; for King *Philip* finding the general Inclinations of the *Spaniards* to Revolt, put all upon the deſperate Siege of *Barcelona*: In order to which he reſolv'd to Command the Army in Perſon; the Project of which had been concerted at *Paris*, deſigning thereby to knock all the Succeſſes of King *Charles* in *Catalonia* on the Head at once: However, they kept their Deſign a Secret as long as poſſible, and cover'd it with ſeveral Marches, Feints, and Countermarches; for King *Philip* at his firſt ſetting out from *Madrid* took the direct Road to *Valentia*; but being on the 24th come to a Place call'd *Ocana*, he receiv'd a Courier from Marſhal *Theſſe* with Advice, that the ſaid Marſhal being Advanc'd to *Alcanniz*, he had receiv'd Orders from the *French* Court not to quit *Arragon*, but to return to *Caſpe*, where he ſhou'd

be join'd by the *Chevalier de Alsfeld*, and design'd to let his Troops rest till his Majesties Arrival, and then to enter *Catalonia*; upon which his Majesty chang'd his Road, and took that of *Saragosa*.

The Natives, what with one Amusement or another, beginning to imagine their Security to be real and fix'd, soon threw off all farther Apprehension, confined their Thoughts again to their proper Callings, and endeavoured to put a stop to the Funds they were a lanching out for their Defence and Safety. By these Neglects the Soldiers lay starving and dying in Shoals, the Breaches at *Barcelona* and *Montjuich* neglected, the Garrisons unstored, and Intelligence not look'd after; thus unhappily drill'd they away their Time, and the Advantage they had gain'd, till at length the Enemy awaken'd them, but yet in so drousie a manner, that they seem'd to go stumbling on to their Ruin: They divided their Troops into *Tortosa*, *Lerida* and *Girona*, leaving but a handful in *Barcelona*.

Horses were wanted, and these all the World knew were not to be had in *Catalonia*, but in *Valencia*; so that the Earl of *Peterborough* (who had propos'd it long before to the Court) enter'd that Kingdom, in order to get a sufficient Number of them.

This was a large Stride, that had like to have proved a most Fatal one in the Consequences; for the Enemy (that had long before been sufficiently awaken'd) did not so much March as Fly to suppress this growing Flame that threaten'd their Ruin; they had prepared all the Force they could possibly gather from the Frontiers of *Portugal*, *Italy*, *Provence*, nay, from *Flanders* and the *Rhine* too, and these appear'd upon the Frontiers of *Arragon*, *Valencia*, and *Ampurdan*, even almost before they knew it.

To effect the Design they had form'd and extreamly well concerted for the Retaking of *Barcelona*, they endeavour'd by their Emissaries to perswade the Allies that they design'd to stand barely upon the Defensive: They deceiv'd 'em with their Motions too; they made several Feints and Offers, as if they wou'd fall upon *Lerida*, *Girona*, &c. By which Address and Management they drew almost all the Forces, Engineers, the Ammunition, *&c.* from *Barcelona* to the Frontiers; about which time arrived before *Barcelona* 12 *French* Men of War, to look out (as the Garrison presumed) for the Three Men of War that were bringing them Supplies of Money from *Italy*, which at that time they wanted to Extremity, the Soldiers for several Weeks having subsisted upon Eighteen-pence a Week, and the Officers oblig'd to pawn their Scarfs, *&c.* for want of it too.

Things ing in this Posture, the Enemy about *Lerida* removed, and stept in between it and *Tortosa*, by which they drew off to this last Place all the Remainder of the Troops in *Barcelona*, the Guards only excepted, who were then but about 300 Men, and those employ'd in guarding the King's Person and Water-Gate only: Nay, and these too had been wanting, had not there been a peremptory stop put to their March. About this time an additional Number of 12 more *French* Ships appear'd upon the Coast, which awaken'd 'em with a Witness; they fell immediately upon running up the Breach, but they being *Spaniards* that work'd it was carry'd on with too much slow Gravity: By this time the Enemy had got together in Two separate Bodies all the Force they cou'd raise, and consequently their Design ripe for Execution; they made a Movement with their Two Armies (that near *Girona*, and the other near *Lerida*) towards *Barcelona*, but yet in such a Manner that they seem'd not to have a Design upon it, but from hindring any more Force of the Allies fr m entring *Lerida* or *Girona*, and consequently

confirm'd the Court in the Belief that their Aim was ſtill on theſe Two Places: Which Bait they within ſwallow'd ſo ſecurely, that they never ſo much as talk'd of their coming thither, till they were actually within Two Days good March of them; nay, and even then too they were ignorant of their real Deſign, not any ways dreaming of uniting their Two Armies, the One Commanded by M. *de Theſſe*, the other by the Duke *de Noailles*. Thus far the Enemy had acted with great Conduct and Addreſs; but their next Step was a very falſe one, they made Eight or Nine Days Delay in a March that might have been perform'd in Two, perhaps for want of Proviſions, which gave the Garriſon Time to ſlip in an Hundred or Two of Men, of mending the Breaches, repairing the Baſtions, *&c.* all which were pretty forward, being excited by the Clergy, abundance of whom work'd very heartily themſelves.

On the 2d of *April*, N. S. in the Evening the Forces that came from about *Girona*, under the Command of the Duke *de Noailles*, join'd part of thoſe that came from *Lerida*, Commanded by M. *de Theſſe*, and encamp'd before the North Side of the City, the Right Wing reaching to the Foot of *Montjuich*; and next Morning, being the 3d, having fix'd their Colours on the North-ſide of *Montjuich*, within Musket-ſhot of the Caſtle, about Nine in the Morning they made an Attack with a Body of Foot (ſupported by Two of Horſe) on the Weakeſt and moſt Weſterly Part of the Outworks, where was only 100 *Engliſh* of *Hamilton*'s Regiment, (who had that very Morning come upon Duty from travelling 70 Leagues in the Two foregoing Days upon Mules;) notwithſtanding all which, they fairly repulſed the Enemy that came very briskly upon them, Firing and Loading as they advanc'd in very good Order: As they went off our handful of Men pull'd off their Caps and hollow'd ſeveral times; which nettl'd the Enemy very much, who expected no ſuch Reception, for they thought to have found only a Dozen ſorry

City

City Militia to receive them there, which indeed was the uſual Guard before that Day; the Enemy made One or Two Offers more, which were much more faint than the firſt. The Town being alarm'd at this unexpected and ſudden Attack, the Guards were immediately order'd up, leaving only 12 to guard the King's Court and Perſon; but the Enemy thought fit to make no other Efforts that Day; and the *Catalans*, who by this Repulſe made ſure that the Enemy they had to do with *were only Mortals like themſelves*, became ſo familiarly Bold, as to advance without the Works, and Pickeer upon the *French*, as if they were ſhooting at Woodcocks.

On the 4th in the Morning the Garriſon fairly perceiv'd their Camp from the top of *Montjuich*, their Tents reaching from the Foot of the North-Weſt Side of *Montjuich* Five or Six Leagues in length, but with ſome Gaps or Intervals. That Day they diſturb'd the Enemy with their ſmall Parties, as well upon *Montjuich* as in their Camp too, where a Body of *Miquelets* made a Salley down from the Neighbouring Hills near *Conventa Gratia*, and took from the Enemy 700 Sheep, and 12 Mules, in the Face of their whole Camp. The *Miquelets* alſo in Town Salley'd, and made their Advanc'd Guards not a little uneaſie, by Pickeering upon them. On the 5th in the Morning they found the *Round Fort* (near the *Strand*, Weſt of *Montjuich*, and which commands all the Shore on that Side) in the Poſſeſſion of the Enemy, Surrender'd, as ſuppos'd, by Treachery; for with 50 good Men it could have held out till beat to the Ground; and this Accident made the City jealous of the Governour of the Caſtle, who thereupon was diſplaced.

The Enemy having got this Fort, fell immediately upon landing their Proviſions, Cannon, and all other Ammunition, all which they were in want of, particularly the firſt; and the ſame Day their Camp was much augmented by the Remainder of the Troops that came from *Lerida* Side: But what made amends for that was the Arrival of my Lord *Donnegal*, Maj. Gen. *Sentimen*, and

Four

Four Regiments of the Garriſon of *Girona*, Two whereof were of the New Levies in this Country, and conſequently of no great Value. But to prevent them from more Succours that Way, the Enemies Left Wing march'd with their Baggage a League or Two more Eaſtward, ſo that they almoſt inveſted both Caſtle and City, but their Camp was but in One Line, and with ſeveral wide Intervals.

All the Precaution the Enemy took could not hinder the Remainder of our Troops from *Girona*, and ſome Dragoons from *Lerida*, to get by Water, tho' with extream Hazard and Difficulty, into the Town; ſo that now they had 3000 or more Regular Troops, beſides the City Militia, that did conſtant Duty in all Places without Reach of Danger. My Lord *Donnegal* and Maj. Gen. *Sentmen* commanded the Troops in the Caſtle by turns, Gen. *Uubfele* commanded in the City, and an Old *Spaniard* on the Line of Communication betwixt the City and the Caſtle.

The Beſieged next Morning found the Enemy had carry'd on Two Intrenchments, one beginning at St. *Madrona*, the other at the Weſt-ſide of the Hill, both leading to each other. They moleſted them in the Forenoon only from their Works, but at Five in the Evening ſome *Miquelets* Salley'd down, and drew Six Pair of Colours from the Works; but they turn'd again, and recover'd their Intrenchments.

The Beſiegers on the 8th, early in the Morning, began to throw their Shells at *Montjuich* from Two Mortars, and were ſhelter'd within Musket-ſhot of the Caſtle; but the Beſieged put a Stop to them in the Afternoon by a Salley with a Body of *Miquelets*, ſuſtained by about 200 Regular Troops, and beat them out of their Trenches; but they had Houſes and Old Structures to ſhelter them; and 4000 of them coming with 12 or 15 Pair of Colours, beyond their Expectation, oblig'd them to retreat; for it ſeems they had got Intelligence, and accord-

accordingly prepared for that Salley. The ſame Day the Beſieged had Abundance of Small Craft that brought them Faſcines by Water, and Two Galliots got ſafe in with Corn and Flower from *Villa-Nova*. And on the 9th the Enemy ply'd the Beſieged with ſome Shells, but not ſo warmly as the Day before, many of their Bombs being ill made, and ill thrown.

They continued the Bombardment on the 10th, but with little Succeſs: However, they had run up One Trench within Piſtol-ſhot of the Outworks, juſt facing the fine Stone Sentry-box that was unfiniſhed; but that Line lying wholly open to the Beſieged, they made them ſcoure from it at Day-break with their Small-Shot, and endeavoured to make the Place ſtronger and ſtronger every Hour by Additional Works; and the ſame Night kept ſuch a continual firing upon the Enemy, where they ſuppoſed they were at work, that in the Morning they found they had made but very little Progreſs with their Trenches; and beſides, they gauled them much with Stones from their Mortars, which, in the Night, were of more Effect than Shells. However, the Beſiegers ply'd them pretty warm on the 11th with their Bombs, but they did little Damage to the Men, and none at all to the Works nor Ammunition: And that Evening they marked a Camp on the Side of *Montjuich*, betwixt the Town and Caſtle, that their Troops might be more at Hand in Caſe of Need.

The Beſieged on the 12th in the Morning found the Enemy had turned One of their Trenches into Two Batteries of Six Guns apiece, each facing One of the Two Northern Baſtions of *Montjuich*; their Men in making their Ambruſiers wrought ſo open, that the Beſieg'd pick'd off ſeveral of them, yet their Work ſtill went forward by freſh Men. While the Beſieged were mudding the Inſides of their Stone-Walls and Breaſt-works that lay moſt open to them, and preparing a Battery to play upon the Lodgments they deſign'd to make under the

the North-East Bastion, the Enemy were also mending the Bastion without Fort *Antonio*, where there was mounted Three Mortars and Three Guns, and ordering the Curtain of the City-wall, (betwixt the said Port and the late Breach) so as the Gunners might ply their Artillery with much more Security than formerly.

The Enemy by this Time seem'd to have got ashore all that they wanted from aboard their Ships, the Weather favouring them much, and their Small Craft was perpetually going and coming from the Eastward. They had Two or Three small Ships and a Half Galley to the Eastward of the City, that lay so near the Shore that none of the Besieged's Barks, Felucca's, *&c.* could pass as formerly. However, the Active *Miquelets*, beside what they did by Day, by Night advanced into their Camp, and murder'd and stript their Officers in their Tents, so that abundance of them were cut off that Way.

On the 13th the Enemy mounted 12 Guns upon Two Batteries, and Four Mortars, with which they ply'd the Besieged as warmly as possibly; the *Dutch* being upon the exposed Posts that Day, about 25 of them were wounded and killed. But the Besieged could not ply those Guns that faced the Enemy as formerly, finding it difficult to get Fellows to stand to them; and the *Miquelets* would not stay in the Outworks as before, so that the Allies were like to have none but their own Troops to trust to when the Enemy should storm them; however, they forwarded and bettered their Works as much as Time, the Enemy, and the Rockiness of the Ground, would permit.

The Besiegers on the 14th in the Morning play'd from no less than Four Batteries, one to the Eastward, and the other to the Westward of the Two former, and ply'd them with all the Vigour imaginable: The same Day a Bark got safe into *Matteron* from *Genoa*, having Letters for the Court from *England*.

The

The Beſiegers having made all Things ready on the 15th, at Eight at Night begun an Attack on the Weſtermoſt Outwork, where was placed, according to their turn, and which perhaps the Enemy was acquainted with) the New *Spaniſh* Foot-Guards, who gave Way, and precipitately retired on the firſt Onſet; ſo that at once they advanced where the Guards and Grenadiers were poſted, and had carry'd that Poſt too directly, had they not acted like *Engliſhmen*; in ſhort, never any Soldiers behaved themſelves better than they did on this Occaſion. Some of them, nay, and my Lord *Donegal* himſelf too, throwing back the Enemies Grenades upon them. The Heat of the Attack laſted about Two Hours; after which the reſt of the Night was taken up in popping at each other, but they could not make them quit the Poſt they had got. They endeavoured at the ſame time to terrifie the City as much as poſſible, by throwing burning Cannon-ſhot among them.

However, next Night they kept firing upon them, to hinder their making any Advantages of the Poſt they had gained, but found in the Morning of the 17th they had not only raiſed a new Battery, but made Intrenchments too in the beſt manner their Ground would admit to ſecure it. That Afternoon Two Bomb-Ketches, under the Protection of Two Men of War, came to an Anchor betwixt the Hungry Baſtion (ſo called) and the Mould Baſtion, and within Gun-ſhot of the former, which occaſioned the greateſt Terrour imaginable in the City, for all began to remove their Goods into Churches, and their Dear Perſons to the moſt diſtant or obſcure Parts of the City. However, One of the Beſieged made this Day a Fortunate Shot, for M. *Lapara*, their Chief Engineer and Lieutenant-General, going with Eight Engineers more to view an advanced Work of the Fort, was wounded in the lower Part of the Belly, of which he died Two Hours after.

Nothing

Nothing Memorable happen'd the 18th, but next Morning, before Day they threw Eight or Ten Shells into the City from their Ketches, and abundance of Shot from St. *Madrona*, which awed the *Spaniards* ſo much, that the Allies could not get them to work on the Curtine as uſual; and as for *Montjuich*, their Guns and Mortars play'd with all the Fury imaginable, yet without any conſiderable Loſs to the Beſieged; and One of the worſt Misfortunes they met with was that Morning in *Montjuich*, where One of their wretched *Spaniſh* Gunners, inſtead of hitting the Enemy, killed and diſabled ſeveral of their beſt Men at the Weſt-point of the Works.

The Bombarding both by Sea and Land went more furiouſly on the 20th than before; and the Brave Men in the Fort were ſo harraſſed, that they could not hold up from ſleeping under their Arms, *&c.* however, at Two in the Morning of the 21ſt a Half Galley entered the Mould, bringing 50 Barrels of Powder from *Mattheo*, and a Barque or Felucca brought in Two or Three Officers, who gave them very comfortable Accounts of my Lord *Peterborough*'s Preparations to relieve them.

And now that we have mentioned his Excellency the Earl of *Peterborough*, he was no ſooner apprized by King *Charles* of *Barcelona* being Beſieged, but he uſed all the Efforts and Expedition in the World to relieve it. For having got Two or Three Thouſand Men together from *Valentia*, he marched Night and Day towards *Barcelona*; and having put ſome of his Troops on Board ſeveral Barks, under the Conduct of Two or Three Half Gallies at *Matero*, ſome of them with utmoſt Hazard from the Enemies Fleet got with 400 *Neapolitans* on the 24th into the Town; for you muſt know the *French* had laid many of their Boats along the Shoar to cut them off: But after a ſharp Engagement for an Hour with ſmall Arms, they got in, and the reſt put back for *Matero*; at the ſame time his Lordſhip poſſeſſed with the reſt of

of his Troops the ſtrong Poſts in the Hills about the Enemies Camp, and did all that he could to annoy them, but he had nothing of Force to pretend to attack their Camp with any Proſpect of Succeſs; the *Miquelets* on their Part alſo took Care to ſecure the Avenues by which Proviſions was to be convey'd to the Enemies Camp; and if the Account given us by the Enemy be true, his Excellency with wonderful Magnanimity had concerted Meaſures with the Garriſon to fall at once upon their Army; and they relate the Matter thus: That on the 28th one of his Excellencies Aids de Camp was ſeized at his coming out of the City to return to his General; and that being examined, he confeſſed that he had been ſent into the Place to acquaint the Beſieged that my Lord was come from *Valentia* to *Martorel* with 2000 Foot, and 1000 Horſe, and that he was joined there by the Count *de Cifuentes* with his Regular Troops and *Miquelets*, and that upon ſuch a Day he would advance with them all, in order to fall on the Enemies Rear, while they ſhould Salley out upon them; that on the Day the Aid de Camp had mentioned, a great number of Troops appeared on the Neighbouring Hills in Order of Battle, and the Beſieged appeared upon the Baſtions and Ramparts of the Place; but both the one and the other retired in a little time, perceiving the Enemy were prepared to receive them, and that their Deſign had taken Wind.

In the mean time Fort *Montjuich* was unhappily loſt, and indeed more by Raſhneſs and Careleſneſs than any Vigour of the Enemy, who flung into it Four Bombs at once, being their Signal. Upon which they advanced, hollowing as they came; which being unexpected, put the Garriſon into Confuſion; many of the Officers were abſent, and the few that were there had much ado to get their Men under Arms, tho' the Enemy was already in the Works in Two Places; at the Weſtermoſt Point, and at the Breach of *Valaſcous* Baſtion:

The

The Men at the Weſtermoſt Works fearing to be cut off from the Caſtle by the Enemy at the Breach, retired thither, and then not only beat them off, but made them retire at the other end too; they were much confounded at their facing about. By this time the Officers that were abſent came, and believing the Place to be clear of the Enemy, they advanced to a Battalion drawn up in the Works, to give them new Orders, (taking them to be the *Dutch* by their Cloathing,) but found them to be the Enemy, who took moſt of the Officers, and many Soldiers, Priſoners, without firing One Gun for it; thoſe within and about the Caſtle not knowing of this Accident, were in the greateſt Confuſion imaginable, wanting and calling out for Officers to give them Orders: For nothing above a Lieutenant or Enſign was to be ſeen, and not above Three or Four of them neither. In fine, had the Enemy (who only propoſed taking what they already had) puſhed a little farther, they had carried the Caſtle at once with little Oppoſition. That Night they made a Lodgment on the Breach, but indeed found ready to their Hands a much better one under it in the Covered Way of the Baſtion, capable of ſecuring Three or Four Thouſand Men.

Next Morning they threw up a Line (in order to raiſe a Battery) on the Baſtion, and had advanced ſo far, that they wrought unexpoſed to the Caſtle. At the ſame time, by an Order from the Palace, the Great Bell rung as a Signal for all (that were not already upon Duty) to repair to *Montjuich*, in order to diſlodge the Enemy. Abundance went out under the Sacred Banner of their Church, and made very fair Advances; but being under no Order, (and there being not Regular Troops enough to make uſe of on that Occaſion,) they could not beat off the Enemy, who were too numerous, and too ſecurely lodged. My Lord *Donegal*, and ſome other Brave Officers, were killed on this Unhappy Occaſion. After which the

French

French uſed their utmoſt Efforts by their Bombs and otherwiſe, to become entire Maſters of the Fort, which yet held out to the 25th. But about Six in the Evening, having carried all that they could from *Montjuich*, the Garriſon retired to the Town, being little moleſted by the Enemy; they burnt all the Stakes upon the Line of Communication, without Musket-ſhot of the City-Walls, by the Advice of a Council of War of ſome profound Heads, *&c.* but contrary to the Opinion of the Ingineer, who propoſed clearing that Night the inconſiderable Breach, and to keep it out ſome Days longer; and a *Spaniſh* Captain offered to maintain it. 1506.

The *French* having in this manner ſpent no leſs than 22 Days in the taking of Fort *Montjuich*, which the E. of *Peterborough*, to his Eternal Honour, took in Four, the next Morning they broke Ground in ſeveral Places againſt the City, but chiefly betwixt *Sancta Madrona*, and the Road from *Sancta Antonio*. At Night they renewed their Bombs from the Sea, while the Beſieged went on to make the Curtain-Wall facing *Montjuich* as defenſible as might be, and had made a deeper Breaches, and were raiſing Stakes upon the Counterſcarp before the *Glaze*; on the other Hand, the Enemy brought down the Cannon Cannon they had againſt *Montjuich*, to the Side of the Hill, to beat off the Workmen from their Labour, and carried on their Trenches from their lower Batteries with all Expedition.

On the 28th they mounted about 18 Guns, beſides Three or Four Mortars, and were come within Piſtol-ſhot of the Spur of Port *Antonio* with One of their Trenches; and tho' there fell ſmart Rains for Two Nights together it did not hinder their Labour.

Next Morning the Beſiegers run a Line as far as their leſſer Breach, Parallel with the Curtain, and almoſt within a Stone's throw of it; and their Guns, that the Day before play'd upon them from

their Battery near the Line of Communication, were now partly remov'd to another Battery on that Part of the Hill neareſt the Town, and to which the Rampart and Ditch lay moſt open; ſo that by playing their Guns there the Beſieged had ſcarce One Gun or Musket that fired from the Walls to moleſt the Enemy that work'd juſt under their Noſes.

On the 30th in the Morning, before Day, Two Half Gallies got ſafe into the Town with Prince *Henry* of *Heſſe*, and 60 Soldiers, cutting through the Line of Boats, *&c.* that each Night lay before the Harbour; but the Felucca that came with them was obliged to put back again. And about the ſame time the Enemy brought their Line as far as the large Breach, ſo that the Beſieged perceived they deſigned to make Three Breaches, and by their other Works concluded they would have Five Batteries; they play'd Four Guns upon One of them againſt the Spur at Port *Antonio*, and their Guns on the Point of the Hill moleſted the Rampart very much; however, the Night before the Soldiers began to throw up the Line of Defence that they deſigned within againſt the Breaches.

In the beginning of *May* the Beſiegers raiſed many more Batteries againſt the Town, and ply'd it very hard, while the Beſieged in longing Expectations of Succours by Sea as bravely and tenaciouſly defended it. The Squadron under Sir *John Leak* and Baron *Waſſenaer* put out in *March* from *Lisbon* for the *Streights*, aud had Directions from his Excellency the Earl of *Peterborough* to make for the Coaſt of *Valentia*; they met with contrary Winds a great while, during which they were joined by Commodore *Price* with ſome more Men of War, and Two *Engliſh* Regiments of Foot on Board, all which was not yet near ſtrong enough to encounter the *French* Fleet before *Barcelona*: However, Sir *John* on the 24th of *April*, N. S. ſailed from *Gibraltar*, and ſent away Four Frigots with Orders to make for *Altea* or *Denia*, to get

Intelligence

Intelligence of what Strength the Enemy's Squadron was. The 29th he got to *Altea*, and having Notice that a Squadron was ſailed from *Lisbon* to join him, it was reſolved in a Council of War to ſend to *Veneros*, to get further Intelligence of the Enemy, and to ſtay at *Altea* 24 Hours for the Squadron, which was coming to join him; a Frigot was ſent at the ſame time to the Weſtward to get Intelligence of that Squadron, which met with Three Men of War, ſent before by Sir *George Byng*, (who on the 28th of *March* ſailed by *Falmouth*) with Notice that he was making what Sail he could after the Fleet; and accordingly he came up with Sir *John Leak* the 30th, about Ten in the Morning. The 3d of *May* Commodore *Walker* with his Squadron, and divers Tranſports Ships, joined him likewiſe. The whole Fleet being now together, Sir *John Leak* endeavoured to proceed towards *Barcelona*, but was kept back by contrary Winds or Calms. An Hours Loſs was now longer than a Day at another time; the Place was in great Diſtreſs, and a King in it; who upon the forming of a Siege had writ to Sir *John Leak* and others for Succours, but more particularly to the Earl of *Peterborough*. My Lord did all that any Mortal could do in his Circumſtances for relieving the Place; and when he found it was not practicable by Land, he bent all his Thoughts of doing it by Sea, and in order to that went and incamped with his Troops behind ſome Hills near *Sitias*, a little Place, on the Sea-ſide, between *Terragona* and *Barcelona*, and went with ſome Officers to the Top of the Hills, to ſee if they could find any Ships coming: But neither the Strength of his Excellency's Natural Eyes, nor the Help of his Perſpectives, could yet make the happy Diſcovery. But going down afterwards to *Sitias*, very fortunately a Felucca put in there, which had been ſent by the King from *Barcelona*, in queſt of the Fleet, with Promiſe of a great Reward if they could bring

any good Tidings of them. His Excellency hereupon having immediately writ Two or Three Letters, ſent his Aid de Camp, Captain *Humphries*, on Board the Felucca, with Orders to put out as far as poſſibly he could to Sea In Search of the Fleet; the Captain did ſo accordingly in that ſorry Veſſel, and was out for about 48 Hours, in but a very indifferent Plight, before he diſcovered a Ship, which happened to be the *Leopard*, on Board of which he and the Maſter of the Felucca; went, and finding to the Great Joy by the Captain that the Fleet would be up with them next Morning, they ſtaid on Board, to deliver the Letters they had both from the King and the Earl of *Peterborough* to the Admirals, and Captain *Humphry*'s ſent the Felucca forthwith back to his Excellency at *Sitias* with the happy News. It's incredible with what Diligence and Dexterity the Earl Embarked about 1400 Men on ſome Boats and little Barks, that hardly any Body but himſelf could get together in the Time, with which he put out from *Sitias* to join the Fleet, that there might not be the leaſt Interruption in the great Work upon his Hands, which was the Saving of the Intereſt of the Houſe of *Auſtria* in *Spain*, and a King from being taken Priſoner in his Capital. On the 7th of *May* his Excellency went on Board the *Prince George*, and hoiſted the Union-Flag on the Main-Top, taking upon him the Command of the Fleet as Admiral. Letters came that Day from the King of *Spain*, dated the 4th, with preſſing Inſtances for Relief. Within Two Hours after the Receipt of His Majeſty's Letter aroſe a very fair and freſh Gale, and brought the Fleet with all the Forces and Recruits from *England* and *Ireland* to an Anchor before *Barcelona* the 8th in the Afternoon. The Count *de Thoulouſe* was retired the Night before with the *French* Fleet. The King of *Spain* ſent an *Aid de Camp* to deſire the Admirals to ſend him a Reinforcement, expecting the Enemy would have made an Aſſault; and accordingly the Land Forces

Forces and Marines were put on Shore, and the Garriſon was thereby augmented to 8000 Foot. The Admirals went on Shore the ſame Evening, and attended the King of *Spain*, who received them moſt Graciouſly, and expreſſed his great Satisfaction with the Arrival of ſo Seaſonable a Relief, and his Gratitude for the Generoſity and Tender Care wherewith Her Majeſty had ſo effectually Supported and Aſſiſted him.

The *French* ſtill carried on the Siege for ſome Days, and my Lord *Peterborough* on his Part uſed all imaginable Diligence to counterwork them, declaring *he would Fight them even to the laſt Corner of the City*; but after having continued the Siege, which laſted 35 Days, till the 10th, they went off on the 11th; the Enemy kept firing with their Cannon, but about One next Morning, in a manner unexpected, they left behind them near 200 Braſs Battering Guns, 30 Mortars, a great quantity of Bombs, Shot, Shells, Working-Tools, and other Warlike Stores, 10000 Sacks of Corn, above 3000 Barrels of Powder, and all their Sick and Wounded Men, whom the Marſhal *de Teſſe* by a Letter, recommended to the Earl of *Peterborough*'s Clemency, (and his Excellency was very Generous and Indulgent towards them;) and which was moſt remarkable, they left every thing untouch'd, as if it had been for the uſe of their Friends, and not for their Enemies. They retir'd towards the *French* Frontiers, being purſued by the *Miquelets*. They owned then even from the Court of *Barcelona* that this great Advantage was chiefly owing to the Courage, Conduct, and Vigilance of the Earl of *Peterborough*. This done, the King of *Spain* appointed the Count *de Noyelles*, and Count *Uhlefeldt*, to be Field-Marſhals, who were both to receive their Orders from the Earl of *Peterborough*, his Excellency having a Superiour Commiſſion.

Having mentioned the Marſhal *de Teſſe* his Letter to the Earl of *Peterborough*, it will not be improper, when we conſider what has ſince happen'd, to inſert it here.

My Lord,

YOU ſerve me, with Circumſtances more Glorious for you, and more Mortifying for me, as I did laſt Year my Lord Galloway *in the Siege of* Badajox. *You perceive the miſerable Neceſſity I am under of raiſing this Siege by the Arrival of your Fleet, and the Retreat of ours. My Circumſtances do not permit me to carry away a great many Wounded; but Humanity and your Generoſity make me hope that you will give Orders for Care to be taken of them. I deſire you, my Lord, to be pleas'd to ſend them a Guard, that they may not be expos'd to be ill uſed by the Common People and* Miquelets. *I take the Liberty to ſend you by this Trumpeter ſome Money, which I deſire you will order to be given to thoſe who have the Direction of the Hoſpital, that they may take Care of the Sick, and a further Summ will be remitted afterwards. The Fortune of War makes your Glory, and at this Day my Misfortune. I am beyond all Expreſſions, my Lord,*

Your moſt Humble and

Moſt Obedient Servant,

The Marſhal *de THESSE.*

P. S. *My Lord, I leave a Commiſſary and Chirurgeon to look after the People I leave behind, and I deſire you once more that they may be taken Care of.*

Having Celebrated the Great and Stupendious Deliverance with Triumphs of Joy, and *Philip* the Competitor being now retired with the ſhatter'd Remains of his *French* Army quite out of *Spain*, we

we ſhall leave King *Charles* and the Generals to conſider of improving this great Succeſs, and take a neceſſary View of the Motions of my Lord *Galloway*, and the *Portugueze* Generals on the other Side of *Spain*. The King of *Portugal* having held a Grand Council of War, in which the Miniſters of *England*, *Spain* and *Holland* aſſiſted, it was reſolv'd that the Project ſent by the Earl of *Galloway*, and approv'd in a former Council of War at *Elvas*, to march directly towards *Alcantara*, and, from thence into *Caſtile*, by the Way of *Placentia*, ſhou'd be put in Execution, and therefore Orders were diſpatch'd the ſame Day for the Army to march without any Delay.

In the mean time we are to take Notice of a Memorable Paſſage which happen'd a little before at *Lisbon*: Sir *John Leake*, who lay with the *Engliſh* and *Dutch* Fleet in that Harbour, expecting the Conjunction of Commodore *Price* with the freſh Men of War, and ſome Tranſports, with Men and Neceſſaries, to Sail for *Barcelona*, received Intelligence that the Galleons under a *French* Convoy were ready to Sail from *Cadiz* for the *Weſt-Indies*, and therefore with a Squadron of 12 *Engliſh* and 6 *Dutch* he ſail'd from the River of *Lisbon* on the 9th of *March*, in order to intercept them, and had certainly had the Succeſs he promis'd himſelf, had it not been for a Miſtake, or at leaſt for an Action which muſt bear that Name: For there having been an Embargo laid on all Ships in that River to hinder their diſcovering theſe Preparations, the Governour of the Fort fir'd at Sir *John* himſelf; and tho' the Admiral ſent to know the meaning of it, and to undeceive him, (who had anſwer'd, He was order'd to fire at all Ships that paſs'd) yet he could not (or rather would not) be made ſenſible of his Error, till the Opportunity was loſt, by detaining the Squadron 24 Hours; in which time the Galleons got clear, Sir *John* only miſſing them about 12 Hours. After which he return'd to *Gibraltar*, and

ſail'd to the Relief of *Barcelona*, as has before been mention'd.

The *Portugueze* Army, with the Allies, were by this time got to the Frontiers of *Spain*, which they prepare to enter in good Earneſt. The whole Force conſiſting of about 23000 Men, well provided, the neceſſary Meaſures having been ſettled among the Generals, they march'd on the 2d of *April* to *Mayogas*, and were there join'd by the Artillery; the 3d they march'd to *Vincent*, and took the Way of *Serru Garda*, and paſſing by *Satorina*, poſted themſelves near *Membrio*; both which Places immediately ſurrender'd to them. Major-General *Don Juan Manuel* was ſent on the 5th, at Night, with a Detachment to take Poſt on the River *Solor*, which they were to croſs the next Day, and to guard the Fords of *Barſa* and *Paſto dos Cavaleyros*, by which they were obliged to paſs, becauſe the Enemy had ruin'd the Bridge over that River; which they did on the 6th, without Oppoſition, and continued their March between Rocks, and by Defiles, where 300 Men might have diſputed the Paſſage with them, and receiv'd Advice, That the Duke of *Berwick* was come into *Brocos* with 3000 Horſe; whereupon it was reſolved to attack him the next Day. Accordingly the Marquiſs *das Minas*, by the Advice of the Earl of *Galloway* and other Generals, divided the Army into Two Bodies, and at the Head of moſt of the Horſe, and 16 Terzo's of Foot, march'd directly to *Brocos*, the reſt of the Army being left behind under the Command of the Earl of *Galloway*, and the Conde *de la Corſana*, Lieutenant-General, for the Security of the Artillery and Proviſions which had not yet paſſed the River. They march'd with the greateſt Diligence, taking their Way under the Mountains, that they might not be diſcover'd by the Enemies Centinels, and ſo they might have the leſs time to put themſelves in a Poſture of Defence: But as ſoon as they perceiv'd them entring the Plain, where that Town is ſituated, they retir'd with Preci-

Precipitation through a Wood lying between the ſaid Town and *Carceres*.

The Marquiſs *das Minas* ſent a ſmall Detachment to take Poſſeſſion of *Brocos*, where they found a quantity of Corn and Meal. Their Horſe advanc'd towards the Wood, and the Foot, which began to be tir'd with Marching, were order'd to follow as faſt as they could. Some Parties of their Horſe attack'd the Enemies Rear, but in a diſorderly Manner; and the Duke of *Berwick* having order'd Three of his Regiments to Face about, ſome of their Men began to give Ground; and had it not been for the *Engliſh* Horſe and *Dutch* Dragoons, with the Horſe of the Province of *Beira*, who all behaved themſelves very well, the Army had been in Danger of being put into Diſorder: However, they charg'd the Enemy again ſo vigorouſly, that they retir'd with great Precipitation, with the Loſs of ſeveral of their Men Kill'd and Wounded: The *Portugueze* took about 80 Priſoners, and 240 Horſes, and thoſe of Note were Don *Diego de Monroy*, a Major-General, and the Conde *de Canilleros*. In this Action they loſt the Conde *de St. Vincent*, who received ſeveral Wounds, of which he died that Night. They had very few Men beſides either Kill'd or Wounded; the Chief among the latter was Lieutenant-General *Machado de Brito*. The Action was not over till very late at Night, when the Troops returned to *Brocos*.

The obſtinate Inhabitants of that Place having quitted their Houſes, ſome being fled with the Enemy, and the reſt retiring into the Churches, the Town was Burnt, except a Caſtle, where a Terzo was left in Garriſon. The Army reſted near *Brocos* on the 8th, but next Day marched forward, except the Auxiliaries and ſome other Horſe, which were left behind to join the other Part of the Army, for the greater Security of the Artillery and Baggage, in caſe the Enemy ſhould make any Attempt upon it; and they came that Evening in Sight

Sight of *Alcantara*, which they immediately Inveſted. The Villages of *Villa-Rey* and *Matilla* preſently ſubmitted to them. The 20th the Marqueſs *das Minas* cauſed the Convent of St. *Francis* to be aſſaulted, which is but a Musket-ſhot from the Town; this Poſt was guarded only by a Captain and 50 Men, and was ſo vigorouſly attack'd by Colonel *Blood*'s Regiment, that they poſſeſſed themſelves of it Sword in Hand, and took 16 Priſoners. The Remainder of the Army arrived that Day; ſo that they began that Night to work upon Two Batteries, one of Eight 24 Pounders, and Seven Field-Pieces. On the 11th Six Mortars were added to the firſt Battery. The great Battery began to play with ſuch Fury, as put the Beſieged under a great Conſternation, though they had lately receiv'd a Reinforcement of Two Terzo's from the Duke of *Berwick*, with Promiſes of being ſpeedily relieved. On the 12th in the Morning the Second began to play, and both did wonderful Execution. The Marqueſs *de Fronteira*, with all the Troops of the Province of *Beira*, paſſed the *Tajo*, and was joined on the other Side by the Viſcount *de Fonte Arcada* with 14 Troops of Horſe, Eight Terzo's of Militia, and ſome Cannon and Mortars. The Enemy ſeeing ſo great a Body, preſently concluded it to be the Succours they expected; but being ſoon undeceiv'd, it was ſuch a Diſcouragement to them, that they reſolv'd to Surrender, and hanging out a White Flag deſired to Capitulate: They ſent out Two Colonels as Hoſtages, and in Exchange we ſent in Colonel *Cornero*, and the Lieutenant-Colonel of *Steward*'s Regiment; but they refuſing to Surrender upon the Terms propoſed, *That they ſhould remain Priſoners of War*, the Treaty was broke off; and the 13th about Noon the Batteries began to Fire afreſh with greater Fury than ever. A new Propoſal was made to the Beſieged, 'That if they would Surrender 'themſelves Priſoners of War, all Officers and 'Soldiers that would enter into the King of

'*Spain*'s

'*Spain*'s Service ſhould have the ſame Commiſſi-
'ons as they had with the Enemy; and thoſe
'who would not might return Home, obliging
'themſelves not to bear Arms againſt his Catho-
'lick Majeſty: But they rejected it. So that a new Battery was rais'd on the other Side of that River, and their other Batteries having fired without Intermiſſion, and made a Breach, they intended to Storm the Place the 14th; but that Day in the Morning the Conde *de Taroca* being ſent in to Summon the Governour once more, he thought fit to Surrender; and by the Capitulalation, 'the Garriſon was to March out of the
'Place at the Breach, with their Arms, and the
'uſual Marks of Honour, and then to lay down
'their Arms, and remain Priſoners of War; only
'the Officers from the Degree of a Captain and
'upwards were to have their Liberty at the End of
'Six Months. The Garriſon conſiſted of Twelve Battalions, making in the whole above 5000 Men, among whom were many Officers of Note. They found in the Town 47 Pieces of Braſs Cannon, 17 Pieces of Iron, 5000 Muskets or Firelocks, 200 Quintals or Barrels of Gunpowder, 1800 Boxes of Small-ſhot, 1500 Great-ſhot, Six Mortars, 800 Bombs, 3000 Moyes of Flower, (being 10000 Pound Weight) 4000 Moyes of Rye, 2000 Pipes of Wine, 150 Pipes of Oil, 12000 Cloaths for Soldiers, being new entire Suits deſigned for the *Spaniſh* Army, 2500 Horſes, having their Right Ear cropt, a Mark to diſtinguiſh the King of *Spain*'s Horſes from thoſe of his Subjects, and that in caſe they were ſtoln they might be ſeiz'd everywhere.

Some Days after the Taking of *Alcantara*, a *Manifeſto* that had been Printed at *Lisbon* by my Lord *Galway*'s Order, to be ſent to him thither, to be diſpers'd in his March from thence towards *Madrid*, contain'd in Subſtance, 'That being un-
'doubtedly true, That in all the Progreſs of this War,

'War, the Most Serene Queen of *Great Britain* his 'Mistress, and her Allies, were so far from being 'Enemies to *Spain*, that they had sent their Troops 'and Fleets for no other Purpose than to assist the 'Good *Spaniards* to shake off the Yoke and Domi-'nation of *France*, and to place on the Throne of 'Spain his Most Excellent Majesty King *Charles* III. 'To the End therefore that the *Spaniards* them-'selves might have the Glory to Co-operate in so 'honourable an Undertaking, as was the Establish-'ing the Liberty and Felicity of their Native 'Country, the said Most Serene Queen had been 'pleas'd to Command him to Declare anew her 'Royal Pleasure, That he should in her Name 'Succour and Support them: That accordingly, 'by these Presents, he the said Earl Declared and 'Publish'd, That all the Generals, Commanders, 'Officers and Soldiers of the *Spaniards*, of whatso-'ever Degree they might be, that wou'd leave 'the Service of the Duke of *Anjou*, and give all 'due Obedience to his Catholick Majesty King '*Charles* III. on their repairing to him, should be 'maintain'd in the Service of his Catholick Majesty 'in the same Posts, Honours or Degrees, which 'they had before, without Exception of Persons, 'and that from the same Hour they should be paid 'and maintain'd punctually, according to the Pay 'they before enjoy'd, out of the Treasure which 'for these Glorious Ends the said Most Serene 'Queen had caus'd to be remitted to his Order: 'That 'twas to be hoped there would be no *Spani-'ard* of Reputation that wou'd not make use of 'so favourable an Occasion of having the Honour 'to free their Country from Slavery truly Ignomi-'nious, and of gaining the peculiar Esteem 'of their Lawful Monarch King *Charles* III.

Dated at *Alcantara*, *April* 20. 1706.

On the 16th the Marquess *de Fronteira* was de-tach'd toward *Coria*, which submitted to him, and the

the 20th the Army march'd to *Neueſtri Sincia de Veja*, where a Grand Council of War was held, to conſider the farther Operations of the Campaign; and it was unanimouſly reſolved to proceed directly to *Placentia*: Accordingly they march'd the 26th, and paſs'd the River *Alagon*, and the 28th advanc'd to *Placentia*, which immediately ſubmitted to King *Charles*: But the Duke of *Berwick* had carried away the Governour and the Biſhop, and ſet on Fire the Ammunition that was in the Place; but cou'd not deſtroy the Proviſions as he intended, becauſe the Inhabitants would not ſuffer it: Having made themſelves Maſters of *Placentia*, there was little or no Impediment in their Way to *Madrid*; which at that Juncture wou'd abſolutely have prevented King *Philip*'s Return thither. But at a Council of War held the 30th of *April*, the *Portugueze* Generals were of Opinion to march back; ſome to Beſiege *Badajox*, others *Ciudad Rodrigo*, and 'twas with much ado that the Earl of *Galway* prevail'd to march the next Day to *Almaraz* upon the *Tagus*, and deſtroy the Enemies Bridge there, in order to cut off their Communication, which they effected, after having driven the Duke of *Berwick* from the Banks of the River *Maſſagona*: Mean time the Opinions of the *Portugueze* Generals had been taken into Conſideration in a Council of State held at *Lisbon*, and the King of *Portugal* ſent Orders to the Marquiſs *das Minas* to wait for Proviſions, in order to proceed to *Madrid*. On the 5th the Army arrived at *Almaraz*; but Two Days after, the *Portugueze* Generals, againſt the Opinion of the *Engliſh* and *Dutch*, reſolved to return to *Placentia*, and from thence to *Ciudad Rodrigo*, upon Pretence that they might want Proviſions if they advanced any farther: Upon Information of which Reſolution, it was agreed at *Lisbon* by the Miniſters to ſend poſitive Orders to the Army not to return, except in caſe of extream Neceſſity. But the 19th an Expreſs arrived

arrived with Advice, That the Army returned to *Coria* on the 14rh, and the 16th was to march to *Cuidad Rodrigo:* And that the Marquiſs *de Montandre* had been ſent away with Five Regiments to obſerve the Duke of *Berwick*, who follow'd their Retreating Army as faſt as he himſelf had retir'd ſome time before. To make Amends for this Inglorious Retreat, the Army on the 11th came before *Cuidad Rodrigo*, where they received Information, That Six Pieces of Cannon had that Day been brought into the Place under a Guard of Horſe, and that the Garriſon conſiſted of One Battalion of Regular Troops, and between Two and Three Thouſand Country People in Arms. The Beſiegers on the 23d receiv'd ſome Cannon and Mortars from the Frontiers of *Abeira:* The Mortars began to play that Night, as did the Batteries the Two following Days, ſo that there was a Breach made wide enough by the 26th to give an Aſſault; on which Day a Capitulation was Agreed on, by which the Governour and Principal Officers of the Garriſon, with the Battalion of Regular Troops, were to march out on the 28th with the uſual Marks of Honour, obliging themſelves not to bear Arms againſt *Charles* III. for One Year; the Country People were to leave their Arms behind them, to return to their reſpective Homes, and not to take up Arms any more againſt the Houſe of *Auſtria.*

Having brought Matters thus far on this Side, let us ſee what interveen'd in *Catalonia*, which Affairs are ſo interwoven, that 'tis neceſſary to mention them in their Turns: While the *Portugueze* Generals were conſidering (tho' indeed too late) of their Retreat from *Placentia*, the Earl of *Peterborough* was very Active in putting the Troops in a Poſture to improve their Succeſſes, and take Advantage of the Enemies Confuſion: And here we muſt take Notice that *Philip* being now retired with the ſhattered Remains of his *French* Army quite out of

of *Spain*, *Charles* was ſurely in the moſt hopeful Way in the World of poſſeſſing the whole Monarchy without any Proſpect of much further ſtruggle about it, eſpecially ſeeing there was an Army on the other Side of the Country, that had in a Manner no Body to oppoſe them, and which after the taking of *Alcantara* advanced forward towards *Madrid*, all Places where-ever they came Submitting to them; and indeed if they had not unhappily changed their Rout, might have been at *Madrid* by or very near the Time King *Philip* from *Barcelona* arrived in *France*; for *Alcantara* was Surrendred on the 14th of *April*, and *Philip* did not get to *Perpignan* till the 21ſt of *May*, and from thence reached *Madrid* on the 6th of *June*, which in all Humane Probability he had never ſeen more, had it not been for this Fatal Alteration.

I ſuppoſe every Body is of Opinion that it was of the higheſt Importance to King *Charles* that he ſhould uſe the utmoſt Celerity imaginable to get to *Madrid* after the raiſing the Siege of *Barcelona*, in order to which, Three Councils of War were held, wherein it was agreed, *nemine Contradicente*, that his Excellency the Earl of *Peterborough* ſhould with ſome of the Troops paſs by Sea to *Valencia*, whither the King himſelf was to march with the reſt of the Forces by Land, and ſo conjointly advance towards *Madrid*: His Excellency ſailed away with the Fleet on the 29th, and had not been long gone, but the King Conſtituted Count *Ulhefield*, a *Dane*, Governour of *Catalonia*, with which the *Catalans* (at leaſt ſome of them) did not appear to be well ſatisfy'd, and were rather for Count *Noyelles* than any Body elſe, upon the Account of his being a Natural-Born Subject of *Spain*, his great Experience in Military Affairs, and other Excellent Qualifications. To redreſs this, they apply'd themſelves by Letters to the Earl of *Peterborough*. His Excellency writ very preſſingly again and again to his Catho-

Catholick Majeſty about this Matter, but to little Purpoſe; and all that could be got was, That Count *Noyelles* ſhould be provided for ſome other Way.

How unhappy ſoever ſome People thought this Procedure to be, it was nothing in Compariſon to what afterwards followed: The King's Preſence at *Madrid*, while his Competitor was out of the Kingdom, ſeem'd to be the *Unum Neceſſarium* at this Time: But that Prince continuing at *Barcelona* all this Month, and the greateſt Part of the next, and even ſoon after that entirely altering the Meaſures that had been agreed on before the Earl of *Peterborough* left *Barcelona*, ſo that *Philip* had thereby an Opportunity of returning to *Madrid*, where he arrived the 6th of *June*.

However, his Stay was like to be but ſhort there for the preſent; for upon Advice of the great Victory at *Ramilly*, and the wonderful Turn of Affairs in *Catalonia*, the *Portugueze* Generals took a full Reſolution to march directly to *Madrid*; who after the taking of *Ciudad Rodrigo* marched from thence towards *Salamanca*; and on the 5th the Marquiſs *das Minas* receiv'd a Letter of Submiſſion from that Town, with Advice, That the Duke of *Berwick* was march'd from thence with his ſmall Army. On the 7th the Magiſtrates met them a League and an half out of Town in their Formalities, and made their Submiſſion to King *Charles*. This done, they made their neceſſary Proviſions to march farther, and decampt the 12th, directing their March towards the *Puerto*, or Paſſage of *Guadarama*. The Town of *Alva de Tormes*, *Avila*, *Penaranda*, and ſeveral others, declared for them. The 19th they came to *Eſpinal*, within Two Leagues of the *Eſcurial*, and Twelve from *Madrid*. *Segovia*, *Guadarama*, and ſeveral other Places, now Declared for King *Charles*. On the 22d the Marquiſs *das Minas*, the Earl of *Galway*, and ſeveral other Generals, march'd

march'd with Eight Battalions, and all the Horſe of the Army, paſſed the *Puerto* of *Guadarama*, and on the 24th came to *Torre*, within Three Leagues of *Madrid*. Next Day the Alguazil Mayor, with Three other Deputies, came from the Corregidor of that City, to make their Submiſſion to King *Charles*, to whom ſeveral Couriers had been ſent to haſten his coming to that Place, where he was impatiently expected. But he was by the 2d of *July* got no farther than *Tarragona*, and being at that time inform'd of the good Diſpoſition of the Kingdom of *Arragon* towards him, Count *Noyelles* was order'd to march with ſome Troops thither: He was met at *Coevern*, Seven Leagues from *Saragoſſa*, by the Deputies of the Kingdom of *Arragon*, having with them 800 Horſe, and 2000 Foot, and was Complimented by them. On the 5th Inſtant he arrived at *Saragoſſa*; a League without which City he was receiv'd by the Militia, as well Horſe as Foot, and at the Gate by 100 Gentlemen in Arms, who all follow'd him to his Lodgings through Crouds of People that made incredible Acclamations: The Nobility of this Country of *Arragon*, and Deputies from moſt of the Towns, were come thither to make their Submiſſion to King *Charles*: And the whole Kingdom of *Arragon* had already Sworn Allegiance to King *Charles* in Preſence of his Excellency. 1705.

Whether it were this Torrent of Succeſs, or a vain Belief that the Duke of *Anjou* and the *French* Army would never return again into *Spain*, that made King *Charles* unhappily change his Mind of going by the Way of *Valentia* for *Madrid*; the Earl of *Peterborough*, and thoſe who were with him, were mightily ſurprized, after a Month's waiting at *Valentia*, to find that his Catholick Majeſty had been adviſed and prevailed upon to alter thoſe Meaſures at *Tarragon*, where they reſolved to go to *Madrid* by the Way of *Arragon*, on pretence of Settling that Kingdom, which had then Declared

for him. The Envoy of *Portugal*, and the *Engliſh* Miniſter at his Majeſties Court, did both of them Proteſt againſt this, and urged to have their Reaſons enter'd in Writing, the Subſtance of which was, 1. 'That *Arragon* being not well furniſh'd 'with Proviſions, it would be very inconvenient 'for the Troops to march that Way. 2. That the 'Enemy having then 6000 good Horſe ready to 'obſerve his Motions, his Majeſty could not march 'that Way without viſible Hazard. 3. That 'though that Road were ſafe, it would be the 'Loſs of Six Weeks time before he could arrive at '*Madrid*, and that Time was of great Importance 'to him in ſuch a Conjuncture. Thoſe about 'him who were for his going by the Way of '*Arragon* alledg'd, That it was not for his Majeſties Honour to go to *Madrid* in a Hurry, without his Equipage and Retinue. To which Mr. *Stanhope* reply'd, 'That King *William* 'when he made his Deſcent upon *England* went 'to *London* in a Hackney, attended with a few 'Dragoons, otherwiſe he had loſt the Crown. However, the other Counſels prevailed, and King *Charles* purſued their Advice of going by the Way of *Arragon*. When the Earl of *Peterborough* heard of thoſe Meaſures, he ſent many Letters, with the unanimous Opinion of his Councils of War, that it wou'd be beſt for his Majeſty to return and go by the Way of *Valentia*; but his Lordſhip's Letters, and the Opinion of the Councils of War, had no Effect. His Majeſty went on to *Saragoſſa*, where the great Expectations of thoſe who adviſ'd him to that Road, terminated in being Complemented with a *Torridore*, or Bull-Feaſt, and ſpending about Thirty Days to a very fruitleſs and unhappy Purpoſe. When they ſaw too late that Dangers approach'd, and that the direct Way from thence to *Madrid* was not practicable, then they altered their Meaſures again, took the Road towards *Valentia*, and ſent to deſire that his Excellency would meet them with all poſſible Haſte.

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The Confederate Army then in *Caſtile* ſeem'd at the ſame time to have been under a ſtrange Reſtraint: The Duke of *Anjou* had no more than 6000 Horſe, and ſcarce any Regular Foot on that Side when the Army came to *Madrid*; ſo that it was thought they might have forced the Enemy to repaſs the *Ebro*, where they would ſoon have been in want of Proviſions, or the Troops might have encamp'd and fortified themſelves ſo as to have covered *Madrid*, and laid up Magazines of Corn; but inſtead of doing either of theſe, they march'd and encampt at *Guadalaxara*, where in leſs than a Month they were reduced to want of Proviſion: And it ſeems their Intelligence was not very good, ſince one Morning they were ſurprized to ſee an Army of 20000 Men encampt on the other Side of the River over-againſt them, though they were inform'd that there was no Enemy within 30 Miles of them; and all this while the *French* Troops that retired from *Barcelona* had time to march round through *France* into *Spain*, ſo that they were Superiour to the Confederates in Horſe, and well nigh a Match to them in Foot. Perceiving this Advantage, they detach'd a Body of Horſe to repoſſeſs themſelves of *Madrid*, where they kill'd many of the *Germans*, and others of King *Charles*'s Party. Upon this *Segovia*, *Toledo*, *Salamanca*, and other Places which had ſubmitted to his Catholick Majeſty, revolted again to the Duke of *Anjou*, and the Communication with *Portugal* was cut off.

When Matters came to this Paſs, moſt of the Generals were for fighting, in order to recover that Advantage which had been ſo unhappily loſt; but of 45 General Officers, the Earl of *Peterborough* alone was againſt running ſuch a Riſque. His Lordſhip gave his Opinion in Writing againſt it, and convinced them that it was not ſafe to venture all upon the Iſſue of a Battle, ſince in Caſe we ſhould be worſted there could be no hopes of a Retreat.

In the mean time the Duke of *Anjou* was got to *Atienza*, within 20 Leagues of *Madrid*, where he had 5000 Horſe and 16 Battalions of Foot. The *Spaniards* then began to ſhew their Uneaſineſs, having no certain Account of the King's march, nor of any Troops coming to reinforce them; and the King's long Abſence gave Occaſion to ſeveral Reports, which cooled the Affection of ſome, and diſheartned other of the *Spaniards*; and ſome Prieſts at *Madrid* and *Toledo* confidently aſſerted in publick that King *Charles* was dead, and that they had ſeen him embalmed; that thereupon ſeveral Officers among the *Spaniſh* Troops, who had promiſed to declare for his Catholick Majeſty, fell off from their Word, believing that Report to be true. And upon Advice that the *French* Troops were got into *Navarre*, many of the Inhabitants of *Arevalos*, where Don *Franciſco Ronquillo*, Preſident of *Caſtile*, has his Seat, were induced to take up Arms, and, by their Example, thoſe of *Segovia* proclaimed the Duke of *Anjou* a ſecond time, and thoſe of *Toledo*, *Ciudad-Real*, and of the Diſtrict of *Mancha*, did the like; as did alſo thoſe of *Salamanca*, and the neighbouring Country, whereby the Army's Communion with *Portugal* was cut off; theſe People believing that the Confederates would ſoon be obliged to retire by a Superior Force.

However, theſe being chiefly the Effects of diſorderly Tumults raiſed by the Rabble, the moſt Conſiderable among the *Spaniards* being ſatisfied that the Reports of the King's Death were falſe, and ſtill giving their Aſſurances of their Loyalty to King *Charles*, they did not doubt but his Preſence would reſtore all. The News being brought that his Majeſty was come to *Saragoſſa*, and it being apprehended that the Ceremonies of his being Proclaimed and Sworn ſhould detain him too long, Quartermaſter-General *Bourguet* was deſpatched to him with a ſtrong Party of Horſe, to make a Repreſentation to his Majeſty of the preſent Poſture of Af-

Affairs, and to know certainly what Meaſures he intended to take.

The Generals receiving no Anſwer, and being informed that the *French* Troops increaſed about *Atienza*, that the People in their Neighbourhood began openly to manifeſt their Diſpoſitions for the Duke of *Anjou*, and that Riots and Diſorders happen'd daily in *Madrid* and *Toledo*, thought of ſecuring ſome Poſt whereby they might preſerve their Communication with *Portugal*, and where the King with his Troops might join them. *Toledo* was judged moſt proper for that Purpoſe; and it was reſolved that a ſtrong Detachment ſhould immediately be ſent thither (under pretence of puniſhing the Inhabitants for their Rebellion) to erect a Magazine, and ſecure the heavy Baggage in that Place; and that the Remainder of the Army ſhould keep the Field to obſerve the Enemy, and ſhould retire to *Toledo* when there ſhould be Occaſion. This Detatchment conſiſting of 2000 Foot and 500 Horſe, under the Command of the General of the Artillery, was ready to march *July* 25. when Letters came from the King of *Spain* with Advice, that he was leaving *Saragoſſa*, and would be at *Molina* the 28th; but that being obliged to paſs within 13 Leagues of the Enemy, he deſired they would cover his March: That the Earl of *Peterborough* was to join him; and, That the Troops were advancing towards them with all poſſible Diligence. Upon theſe Letters the Deſign of retiring to *Toledo* was laid aſide, and it was reſolved that they ſhould advance towards the Enemy, whoſe main Body then lay at *Kadraque*, in order to amuſe them in ſuch manner, that they might not ſend any Detachment to intercept the King. The Artillery accordingly marched towards them; the Ground was ſo faſt that there was no poſſibility of coming to a general Engagement: They cannonaded one another, and kept skirmiſhing during 3 Days; when, obſerving that the Enemies Troops were continually augmenting, it was

reſolved to return to the Poſt of *Guadalaxara*, ſince the King muſt by that time have got paſt all Danger. This Poſt was judged the moſt proper for favouring the March of the Troops that were to join them, and for avoiding a Battle, if they thought fit, till they came up.

On the 1ſt of *Auguſt*, the Enemy following them, the Two Armies were in ſight of each other. They encamped near the Town, with a River between them and the Enemy, as the beſt Station to ſecure their Junction, and give Countenance to their Friends at *Madrid*.

Upon the News that all the Enemies Troops were joined, and that they were marching towards the Confederates with a Superior Force, the Duke of *Anjou*'s Party in *Madrid* appeared barefaced, and took up Arms againſt King *Charles*'s Friends; and on the 5th a Detatchment of the Enemy's Horſe entred into the Place: However, the Chiefs among the *Spaniards* were ſtill in ſuſpence, expecting their joining, and the Iſſue of this whole Matter.

At length the King arrived in their Camp the 8th with his Troops of Guards, 2 Regiments of Horſe, and 3 Battalions, 2 of them *Dutch*, and the 3d *Italian*. The Lord *Raby*'s Regiments of Dragoons, part of *Pierce*'s, a *Spaniſh*, and a *German* Battalion, arrived 5 Days after. Then a Council of War was held, and it was judged impracticable to attack the Enemy, conſidering they were advantageouſly poſted, and much ſuperiour both in Horſe and Foot; for they out-number'd them by 25 Squadrons and 13 Battalions, and their Squadrons were ſtronger, and in a better Condition than the Confederates.

Having continued thus ſeveral Days within Cannon-ſhot of the Enemy, and their Forrage and Proviſions being ſpent, it was reſolved to march to *Chincon* and *Colmenar*, to maintain thoſe Poſts as long as they could, and improve all Opportunities Fortune would favour them withal. They arrived

ved there in Two Days March; and notwithſtanding the Enemy did gain ſome ſmall Advantages over the Parties and Convoys, continued near a Month in that Camp, and had Plenty enough.

It was then thought convenient, before the rainy Seaſon came, to march towards the Frontiers of *Valentia*, and diſpoſe their Quarters in ſuch manner as that they might protect *Arragon*, *Valentia*, and *Catalonia*, ſecure an Entrance into *Caſtile*, and preſerve their Communion with the Sea-Coaſt.

And though the Enemy boaſted that they would prevent them, and that the Inhabitants of almoſt the whole Kingdom of *Caſtile* had openly declared and were in Arms againſt them, yet, in ſpite of all Oppoſition, they accompliſh'd their Deſign, and decamped from *Chincon* the 15th, and paſſed the *Tagus* at *Funte Duenas*, without any Interception from the Enemy, who croſs'd the River Four Leagues below that Place. The 17th Lieutenant-General *Wyndham* joined the Army at *Veles* with Three *Engliſh* Battalions, and the Earl of *Peterborough*'s Regiment of Horſe, and brought them Four Days Proviſion of Bread and Biſket he had got together from the neighbouring Country.

The Enemy march'd at ſome diſtance with their whole Army, having a good Body of Horſe always neareſt to obſerve them, but never thought fit to Engage, or give them any Diſturbance: Only the 25th the Duke of *Berwick* having drawn all his Forces together, and marched all Night, croſſed the *Xucar*, making ſhew as if he intended to have attack'd them in a large Plain through which they were to paſs to get to the River *Xabriel*, and to cut off their Proviſions which were laid up at *Requena*. He advanced with ſuch Diligence, that his Vanguard appeared in the Plain at the ſame time with them; but the Army marched in ſo good Order, and with ſo much Reſolution, that he had no proſpect of Engaging them with any Advantage; and for. e Squadrons of his Troops that offered to at-

tack them, met with ſo warm a Reception, that they were ſoon obliged to retire in great Diſorder: However, he followed them as far as the little River *Imilta*, where the Army was formed; and the Enemy had then a fair Opportunity of coming to a deciſive Battle: But when they well viewed the Countenance and Diſpoſition of their Troops, they did not thinſt fit to make any Attempt, and then they continued their March unmoleſted.

They continued their March the ſame Evening, and gained the Banks of the River *Kabnial*; and the whole Army came to the intended Quarters along the Frontiers of *Valentia* and *Murcia*. A Detachment of the King of *Spain*'s own Troops were ſent to *Arragon*. They put Garriſons into *Cuenca*, *Requena*, and *Cofrentes*, to preſerve an Entrance into *Caſtile*, and the Troops were diſpoſed in ſuch manner that they would be able to protect thoſe Countries which had ſubmitted to King *Charles*; where we ſhall leave them going into Winter Quarters, and obſerve that the *Portugueze* Troops, to the Number of 8 or 9000 Men, who were deſign'd to Succour the Army of King *Charles* march'd firſt to *Salamanca*; whereupon the Governour with the *Spaniſh* Forces retir'd to *Peneranda*, having engag'd the Inhabitants to defend themſelves, upon Promiſe that he wou'd return with greater Force to their Relief: The Burghers made a weak defence for 3 Days, and then ſurrender'd the City upon the following Articles.

1. THAT *the Town reſtore what was taken from the Convoy that was going to our Army when they revolted.* Agreed.

2. *That they pay* 400000 *Pieces of Eight for the Charge of this Army that came on purpoſe to reduce them.* Agreed to pay only 200000 Pieces of Eight, *viz.* 100000 down, the other 100000 Four Months after.

3. *That all Horſes and Mules in the Place ſhall be delivered up for the uſe of the Forces.* Agreed.

4. *That*

4. *That all Artillery, Arms, and other Utenſils of War, be delivered up, with all Sorts of Grain, Flower,* &c. *for the uſe of the Forces.* Agreed.

5. *That they pay down* 2000 *Piſtoles promiſed the Marqueſs* das Minas *when he firſt brought them to their due Obedience.* Agreed.

6. *That they do again take the Oaths to King* Charles, *declaring him their True and Lawful Prince; and that they will hazard their Lives againſt the Duke of* Anjou, *and his Adherents.* Agreed.

7. *That what Regular Forces ſhall be found in the Town be delivered up Priſoners at Diſcretion.* Agreed.

8. *That what is here expreſſed be performed the* 18*th of* September; *and the Articles concluded being fulfilled, all the Immunities, Privileges, Cuſtoms and Laws, which they enjoyed under King* Charles *the Second, be preſerved to them; and that they be aſſiſted in defending themſelves againſt whatever Troops the Duke of* Anjou *may ſend to attack this City, they taking Arms likewiſe againſt the ſaid Troops, and not in any other manner.* Agreed.

After the Reduction of *Salamanca*, the *Portugueze* General, who Commanded that Body, having Intelligence that the Army of King *Charles* was broke up from *Colmenar*, and march'd toward *Valentia*, he diſcontinu'd his March, and leaving a Garriſon in *Salamanca*, return'd toward *Ciudad Rodrigo*, to expect the Army on the Frontiers of *Valentia*.

During the Tranſactions on the Side of *Madrid*, ſome Land Forces, and a Detachment from the Fleet, Storm'd the Town of *Alicant*, which they carried Sword in hand; a Draught of 40 Seamen out of every Ship having been made for that Purpoſe, who in hopes of Plunder fell on with all the Fury and Vigour imaginable. Major *Rapin* of the Lord *Mohun*'s Regiment, who commanded the Grenadiers, marched on with a great deal of Bravery, and hoped to be the firſt Man in the Town; but he was prevented by Capt. *Paſſenger*

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of the *Reyal Anne*, who had the Honour to be the firſt Officer that mounted the Breach, and had Five of his Boats Crew killed or wounded that help'd him over; and with 20 or 30 Seamen drove 4 or 500 Men of the Enemy before him, taking ſeveral Priſoners, and among 'em Two Captains of Horſe. Major *Rapin* with the Grenadiers under under his Command entring the Town immediately after, Brigadier *Mahoni*, with the greateſt part of the Garriſon, retired into the Caſtle. We had only only 17 Men killed, and among them Lieut. Col. *Petit* of *Mohun*'s Regiment, who being Shot in the Market-place from a Window after the Action was over, the Houſe from whence the Piece was fired was broke open, and Five or Six *Iriſh-Men* that were found in it put to the Sword. Sir *George Bing* Commanded the Ships that Cannonaded the Town and Caſtle: On the other hand, Sir *John Leake*, after the Relief of *Barcelona*, (which we may morally aſcribe to his great Conduct and Diligence therein,) ſailed with the Forces from thence that were to be landed at *Valentia*; which Service being perform'd, it was reſolv'd in a Council of War to proceed with the Fleet to *Alicant*; but being got the length of *Altea*, Two Gentlemen came off and acquainted the Admiral, that the Inhabitants of *Carthagena* were ſo well diſpos'd to the Intereſt of their lawful Sovereign King *Charles* III. that upon the Appearance of the Fleet they believ'd the City would Declare for His Majeſty. It was thereupon reſolved to proceed to *Carthagena*; and the Fleet arriving there on the 12th, Letters were immediately ſent to the Governour and Magiſtrates to Summon them to ſurrender, and to encourage the Citizens to Declare for King *Charles* III. and in the mean time the neceſſary Diſpoſitions were made for Attacking the Place by Sea and Land: But about Eleven the next Morning they ſent Deputies to make their Submiſſion; and a Garriſon was put into the Town, conſiſting of 600 Marines, under the Command of Ma-

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jor *Hedges*. This done, the Fleet ſailed from *Carthagena* on the 18th, and was to Water at *Altea*; and while Sir *John Leake* was off of that Place, he received Information, that Two Galleys belonging to *Carthagena* were to ſail in few Days from thence to *Oran*, with Money to pay that Garriſon: Upon which he detach'd Her Majeſty's Ships the *Hampton-Court* and *Tyger* to cruize off of that Place, in order to intercept them; they found them next Day at an Anchor off of Cape *Palamos*: And as ſoon as thoſe on board the Galleys diſcover'd the Ships were *Engliſh*, they came off and Declar'd for King *Charles*.

The Caſtle of *Alicant* ſurrendred 14 Days after the Reduction of the Town upon Honourable Terms; and Sir *John Leak* having left a Garriſon, and ſome Men of War there, ſailed with the reſt toward the Iſlands; while Sir *John Jennings* with 11 Men of War ſail'd to *Lisbon* to clean, being to proceed directly to the *Weſt-Indies* to Convoy Home the Fleet from thoſe Parts.

On the 9th of *September* Sir *John Leak* came before the Iſle of *Ivica*, Whoſe Governour, and the Inhabitants of the Town of that Name, were ſo well diſpoſed for King *Charles* III. that they immediately ſent Deputies on Board the Admiral to make their Submiſſion to his Catholick Majeſty. The 13th Sir *John Leak* ſail'd from *Ivica*, and appear'd the next Day before *Majorca*, where the *Conde de Alcudia*, the Viceroy, with ſome few Adherents of the Duke of *Anjou*, made a ſhew of defending themſelves; but Two Bomb-ketches being ſent in, upon their throwing in 3 or 4 Shells, the Inhabitants obliged the Viceroy to deſire a Capitulation, which was ſoon after concluded. Sir *John Leak* having thus reduced thoſe Two Iſlands, of which the latter was of the greateſt Importance, as abounding in Corn, Wine, and Oil, from whence Supplies might be ſent to King *Charles*'s Army, if there was occaſion, and left a ſufficient Garriſon in the Caſtle

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of *Porto Pin*, and Two Men of War to transport the Viceroy, and the rest of the D. of *Anjou*'s Adherents, who were desirous to remove, according to the Capitulation, sailed the 23d from *Majorca*, pass'd thro' the *Streights* the 2d of *October*, and on the 14th being off of the *Southward Cape*, detach'd Sir *George Bing* with a Squadron towards *Lisbon*, and with the rest of the Ships proceeded on his Voyage homewards.

And now, while we are on this Side, let us bring Matters to something of a head before we leave them.

While the Armies under the Duke of *Berwick*, and my Lord *Galway*, were in Winter Quarters, the Marquis de *Bay*, with a Detachment of Horse and Foot, attackt and retook *Alcantara* by surprize and threaten'd to lay Siege to *Cindad Rodrigo*, but did not attempt it; on the 9th of *Decemb.* Died the King of *Portugal*, from whence the Partizans of *France* expected great Advantages, but all their Hopes were dissipated, his Eldest Son Don *Juan* V. who immediately succeeded him, declaring he wou'd Religiously observe all the Engagements his Royal Father had enter'd into, and prosecute the War against *France* with the utmost Vigour: However, I must take it for a lucky Omen that our Fleet happen'd to be in a Road of *Lisbon* at that Critical Conjuncture.

While the *English* and *Dutch* Fleets were Sailing with Reinforcements for *Spain*, and while the Earl of *Peterborough* was managing that Interest in *Italy*, the Duke of *Berwick* had time, by his Superiority, to reduce several Places, as *Cuenca*, *Murcia*, *Orith*, *Carthagena*, and some other Places of less Note, which serv'd to fill the *French* and *Spanish* News with Tedious Relations of little Advantages gain'd on that Side: But my Lord *Galway*, who had secur'd a very strong and Advantageous Camp near *Denia*, waited quietly for the Reinforcements he expected from *England*

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While theſe things paſs'd in *Spain*, the *French* under the Duke *de Vendoſme*, being forwardeſt with their Preparations in *Italy*, march'd the 18th of *April* (N. S.) on a ſudden with 58 Batalions, and 5000 Horſe, to attack the *Germans* in their Quarters in the *Breſcian:* Whereupon the latter that were poſted at *Montechiaro* abandon'd that Place, and their Intrenchments, join'd ſeveral Detachments that lay diſpers'd in divers Quarters, and form'd a Body of 10000 Men, which the 19th at Eight a Clock in the Morning drew up in Battalia on the riſing Grounds of *Calcinato*. The Duke *de Vendoſme* cauſed them to be Attack'd in Three ſeveral Places. The Fight was obſtinate, and laſted three Hours, after which the *Germans* being over-powered, were forced to Retreat to *Rezato*. The *French* took ſome Colours and Standards. The loſs of the *Germans*, by the *French* Accounts, amounted to 2000, and that of their own but to 800. But this was deny'd by the *Germans*, who make the Loſs pretty equal on both Sides. However, 'tis certain they loſt the Day, which did for the preſent ſomewhat obſtruct their Affairs. Prince *Eugene*, who had ſet out from *Vienna* about a Fortnight before, arriv'd at *Salo* the Day this Action happened, and immediately began to draw his Army together in order to form the Campaign, tho' it ſeem'd to make but a very bad Beginning: However, having drawn together the Troops he had poſted at *Gavarda* and *Salo*, and other Places in the Neighbourhood, and receiving Intelligence that the *French* were advanc'd to St. *Felice*, and *Manerbio*, he reſolved to retire into the *Veroneſe*. The Duke *de Vendoſme*, with deſign to cut off his Retreat, had poſted ſome Troops in the *Valſabia*, and towards the end of the Lake *di Garda*, and had Detached 24 Battalions and 2000 Dragoons under General *Albergotti*, with Orders to the latter to Poſſeſs himſelf of *Ferrara*, *Montebaldo*, and other Poſts along the *Adige*. The Imperialiſts being advantageouſly entrench'd near *Montebaldo*, General *Albergotti* ſent a Detachment of Grenadiers, ſuſtain-

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ed by ſome Companies of Fuſiliers to attack them on the ſide of the Mountain, whilſt other Troops advanced with ſome Pieces of Cannon in order to attack them in Front: But they found the Service ſo hot that they were repulſed with the loſs of 1500 Men killed and wounded, and Two entire Battalions, and ſeveral Officers, made Priſoners. The *Germans* on their Side loſt only 500 Men. Prince *Eugene* ſent afterwards Detachments to take Poſſeſſion of St. *Michael*, and St. *Martin*, Two conſiderable Poſts; and having receiv'd ſome Reinforcements, made ſuch Diſpoſitions as to be able to ſtand a Battle, in caſe the *French* ſhou'd think fit to offer it him.

In theſe Poſts both Armies continued for ſome time obſerving each other; and the Duke *de Vendoſme* did not ſtick to boaſt, that he had ſecurely fenc'd Prince *Eugene* from returning into *Lombardy*, or at leaſt from any poſſibility of relieving the Duke of *Savoy*: But we ſhall find him miſtaken in his Judgment hereafter; tho' it is to be confeſſed the Diſpoſitions he had made, after his Succeſs at *Calcinato*, ſeem'd to make his Conjectures very probable; which were ſo greedily ſwallowed by the *French* Court, that they immediately ſent Orders (when others were expecting the March of thoſe Troops into *Spain*) to the Duke *de la Feuillade* to undertake the Siege of *Turin*, before which the Trenches were open'd the 3d of *June* (N. S.) and on the 10th that General march'd with 18 Battalions and 50 Squadrons towards *Carrignan* to lay a Bridge on the *Po*; and having paſs'd that River with part of his Army, and taken Poſt on that ſide, his Royal Highneſs, with the Princes's Children, and the reſt of his Court, quitted *Turin* the 15th, and marched towards *Coni* with 3000 Horſe, leaving all his Infantry in the Town, and the Intrenchments on the Hills of the *Capuchins*, with Orders to defend themſelves to the laſt Extremity.

And here for a while we ſhall be obliged to leave *Italy*, and go to *Flanders*, where we ſhall find a Won-

Wonderful Scene of Affairs acted about this time, which will detain us in that Country for ſome Months: But firſt let us juſt mention the Inconſiderable Tranſactions on the *Rhine*: Mareſchal *de Villars* having received Orders from the King to prevent the Deſigns which the Enemy had form'd on the *Upper-Rhine*, aſſembled his Army at *Brumpt* on the *Sor*, whilſt Mareſchal *de Marſin* gathered the Forces on the *Moſelle* near *Savern*. They began their March the Night between the 29th and 30th of *April*, and advanced with ſo much Diligence and Secrecy, that the Prince of *Baden*, and the Count *de Frieſen*, who were ſtill the 30th in the Evening in *Haguenau*, were ſurpriz'd in their Poſts, which they abandon'd, and retir'd with extreme Precipitation. Mareſchal *de Villars* met in his March a Body of 800 Horſe, which he cauſed to be attack'd by the Vanguard commanded by the Marquiſs *de Bourg*, who defeated the *Germans*, killing 100 of them, and taking as many Priſoners. Hereupon, without any Reſiſtance, his Men enter'd the Camp which the *Germans* had fortify'd between *Beiſchweiller* and *Druſenheim*, in which they found their Tents ſtanding, with a great Quantity of Ammunition and Proviſions, as alſo in *Beiſchweiller*, which had been put into a Condition of Defence. There was alſo found the Baggage, particularly that of Count *de Frieſen*, and his Plate, which was plundered by the King's Huſſars. The Enemy were driven as far as *Statmatt*, where was their Bridge on the *Rhine*, over which they went, and afterwards broke down the ſame: And ſo Fort *Lewis* was entirely freed, which had been block'd up all the Winter by the Imperialiſts. Mareſchal *de Villars* having been inform'd, That Prince *Lewis* of *Baden* had left Garriſons in *Haguenau* and *Druſenheim*, in which were Artillery and Ammunition, he gave Detachments to the Marquiſs *de Vieuxpont*, and the Marquiſs *de Pery*, with Orders to the firſt to attack *Druſenheim*, and the other to lay Siege to *Haguenau*, which was ſurrendered to the *French* on the 12th, the Garriſon conſiſting of

of 1400 Men, beſides 800 Sick, being made Priſoners of War.

The *French*, elated with this Succeſs, pretended to ſome other Mighty Enterprizes; they took Poſſeſſion of the Intrenchments at *Lauterburg*, threatned *Landau*, and ſome had the Vanity to think; they would once more penetrate into *Bavaria*; but they were ſoon mortify'd with the Loſs of the Fatal Blow given in the *Netherlands*.

The Army of the States having drawn together near *Tongeren* to the Number of 60 Batalions, and 90 Squadrons, and being join'd by the *Engliſh*, the Duke of *Marlborough*, who with Monſieur *d' Auverquerque* arriv'd in the Army the 12th of *May*, without loſing any Time, reſolv'd to puſh the Campaign forward before Marſhal *Marſin* arriv'd from the *Moſelle* to ſtrengthen the *French* Army on that Side, who after his Expedition into *Germany*, was upon full March to join *Bavaria* and *Villeroy*, which Two Generals had drawn together the *French* and *Spaniſh* Armies near *Lovain*, and with which they paſs'd the *Dyle* the 19th Inſtant, and Poſted themſelves between *Tirlemont* and *Judoigne*, with the *Gheete* before them: Whereupon the Duke of *Marlborough* ſent Orders to the *Daniſh* Troops, who were advancing from their Quarters, to haſten their March, reſolving immediately to Advance toward the Army, (without ſtaying for the *Heſſian* and *Hanover* Troops, who were then upon the *Rhine*,) and either oblige the *French* to Retire, or bring them to a Battle. This was not hard to effect; for they having drein'd all their Garriſons, and depending on their Superiority, had taken a Reſolution to attack him before thoſe Troops came up. This the Duke having notice of, was very well pleas'd with, that they would afford him the Opportunity ſo eaſily, which he doubted wou'd put him to ſome Trouble; and therefore to ſave them the Labour he advanc'd towards them. In the mean time the heavy Baggage was ſent by the Way of *Borgworm* to *Tourine*; and on *Sunday* the 23d. (N. S.) the

Army

Army marched towards the Enemy in Order of Battle, taking their Rout between *Meerdorp* and *Bonef*. In this March they diſcover'd ſome of the Enemies Huſſars, and about Ten in the Morning the main Body of their Army, which was advanc'd as far as *Ramilly*, *Offuz* and *Taviers*, which are Villages ſituated between the *Mehaign* and the *Tauſe*, where they had poſted a Body of 18 or 20 Battalions that had entrenched themſelves. In the mean time they drew up their Army in Order of Battle, their Right Wing extending as far as the *Mehaigne*, and their Left towards *Judoigne*, that little Town being, however, at a good diſtance behind them. At the ſame time the Army of the Allies was likewiſe drawn up in Order of Battle by their Generals, the Right Wing being poſted near *Foltz* on the *Tauſe*, with a little Moraſs in the Front, and the Left near *Branchu* on the *Mehaigne*. 1706.

This River flows about half a League from *Rammelies*, the Ground between them being open and level: The *Gheete* runs from *Rammelies* to *Autregliſe*, thro' a Marſhy Ground; and beyond *Autregliſe* the River grows wide, and the Ground is unpaſſable.

The Enemy had poſted a Brigade of Foot next to the *Mehaigne*, and filled the Space betwixt that and *Rammelies* with upwards of 100 Squadrons, among which were the Troops of the *French* King's Houſhold: At *Rammelies* they had about 10 or 12 Pieces of Treble Cannon: From thence to *Autregliſe* they had formed a Line of Horſe at ſome diſtance behind them.

His Grace judging, by the Situation of the Ground, that the Streſs of the Action would be on our Left, ordered that, beſides the Number of Horſe belonging to that Wing, the *Daniſh* Squadrons, being 20 in number, ſhould alſo be poſted there. It was about Two in the Afternoon before our Army could be form'd in order of Battle, and then they began the Attack on our Left with four Battalions, which puſhed the Brigade of Foot above-

mention'd from their Poſt on the *Mehaigne*. Monſieur *d' Auverquerque* about the ſame time Charged with the Horſe of that Wing: The Succeſs was doubtful for about half an Hour; which the Duke of *Marlborough* perceiving, ordered the reſt of the Horſe of the Right Wing (except the *Engliſh*, who were 17 Squadrons,) to ſupport thoſe on the Left.

Here, while his Grace was Rallying ſome, and giving his Orders for others to Charge, he was in very great Danger, being ſingled out by ſeveral of the reſoluteſt of the Enemy; and falling from his Horſe at the ſame time, had either been killed or taken Priſoner, if ſome of our Foot that was near at hand had not come ſeaſonably to his Grace's Aſſiſtance, and obliged the Enemy to retire. After this my Lord Duke had ſtill a greater Eſcape, a Cannon-Ball taking off Colonel *Bringsfield*'s Head as he was remounting his Grace.

The Village of *Rammelies* was attack'd by a Detachment of 12 Battalions of Foot, commanded by Lieutenant-General *Schultz*, which entred at once with great Vigour and Reſolution. His Grace haſtened our Line of Foot thither to ſupport them, which tho' it was at a diſtance, yet came ſoon enough to beat the Enemy quite out of the Village, and at the ſame time Charged the reſt of their Foot that were poſted behind the *Gheete*, as is above-mention'd; and my Lord Duke ordered the *Engliſh* Horſe to ſupport them.

By this time the Enemies Right Wing of Horſe being entirely defeated, the Horſe of our Left fell upon the Foot on their Right, of whom they ſlew great Numbers, cutting in pieces about 20 of their Battalions, whoſe Colours they took, and likewiſe their Cannon. The reſt of the Enemies Foot were entirely broke. The Horſe of their Left Wing ſeemed to make a ſtand, to gain time for their Foot to retire; but were Charged ſo quick, and with ſo much Bravery, by the *Engliſh* Horſe, that they entirely abandon'd the Foot; and our Dragoons puſh-

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ing into the Village of *Antregliſe*, made a terrible Slaughter of them; the *French* King's own Regiment of Foot, called the Regiment *du Roy*, begg'd for Quarter, and delivered up their Arms and Colours to the Lord *John Hay*'s Dragoons.

Thus a Compleat Victory was gain'd, in which the *French* had 20000 Men Kill'd, Wounded, or Taken Priſoners; among which were ſeveral Officers of Note, with all their Artillery, Baggage, and Ammunition; beſides a great Number of Standards, Colours and Kettle-Drums. The Enemy were purſu'd all Night by the Way of *Judoigne* as far as *Meldret*, where the Confederate Army Halted till Morning, and then made a Motion and encamp'd at *Baveſheim*, and reſted there all that Day for Refreſhment. The next Morning by break of Day they broke up, and march'd towards *Louvain*, which Place the *French* abandon'd on their Approach, and retir'd towards *Bruſſels*; into which the Duke put a Detachment of 500 Men, and continu'd his March the Morning following after the Enemy: But his Grace had ſoon notice that they had likewiſe quitted *Bruſſels* and *Mechlen*, and were retir'd towards *Aloſt*. About Ten a Clock my Lord Duke had a Letter from the Marquiſs of *Deinſe*, Governour of *Bruſſels*, intimating, That the States of *Brabant* were deſirous to wait on him at ſuch a time as he ſhou'd appoint; upon which his Grace ſent them a Compliment by Colonel *Panton*, in his own Name, and that of the Deputies; letting them know, That he ſhould be glad to ſee them at Four of the Clock in the Afternoon, when there came a Deputation from the States of *Brabant*, another from the Soveraign Council, and a third from the Magiſtrates of the City: They all expreſs'd great Satisfaction in his happy Succeſs, and Arrival in the Neighbourhood.

His Grace the next Day paſs'd the Canal, having ſent Four Battalions and Two Squadrons under General *Churchill*, to Command in *Bruſſels*; into which the 28th (*N. S.*) he enter'd with great State, and was

received with all poſſible Demonſtrations of Joy and Reſpect; and having paid Viſits to ſeveral Ladies of the beſt Quality, and been very highly Careſs'd, his Grace returned that Night to the Camp at *Meerlebeck*; from whence he diſpatched Major-General *Roſſe* with a Detachment of 600 Horſe to *Bruges*, to invite the Magiſtrates of that City, and the *Franc*, to the Obedience of their Lawful Sovereign, King *Charles* III. His Grace, at the ſame time, ſent Brigadier *Cadogon*, and Brigadier *Dewitz*, with 6 Squadrons each, and Letters to the ſame Effect; the firſt to the Governour of *Antwerp*, and the latter to the Governour of *Oudenarde*. The ſame Day the Magiſtrates of the City of *Ghent* came thither, to Compliment my Lord Duke, who exhorted them to follow the Example of the Cities of *Brabant*, and acknowledge King *Charles*. Count *Corneille de Naſſau*, Son to Monſieur *d' Auverquerque*, with Two Battalions, March'd into the City; upon which, after ſome difficulty, the Prince of *Ventimille* gave up the Caſtle; and the Marquiſs *de los Rois*'s Regiment, that was in Garriſon there, ſurrender'd themſelves Priſoners of War. My Lord Duke went about Noon to the City, and was met at the Gates by the Magiſtrates, who preſented him the Three Keys in a Gold Baſon, which his Grace returned, and was afterwards entertain'd at Dinner by the Count *de Naſſau*. In the Evening the Magiſtrates attended his Grace again at his Quarters, and made their formal Submiſſion to King *Charles* III. Brigadier *Dewitz* ſent to acquaint his Grace, at the ſame time, that at his coming before *Oudenarde* he had ſummoned the Garriſon, conſiſting of One *Spaniſh*, and Two *French* Battalions, who refuſed to ſurrender; but that he had Intelligence, That if a ſmall Body of Foot, with Cannon, appeared, there was no doubt but that they would Capitulate: Whereupon Lieutenant-General *Schulten* Marched with Seven Battalions, Four Pieces of Canon, and Two Mortars, upon whoſe appearance the

the Garriſon ſurrender'd. being permitted to March out; the *French* to *Courtray*, and the *Spaniards* towards *Mons*. The next Morning early his Grace received Letters from Major-General *Roſſe*, and Brigadier *Cadogan*; the firſt adviſing, that upon his approaching *Bruges* the *French* Battalion there retired, and the Magiſtrates were very deſirous to ſubmit themſelves to King *Charles*; the latter acquainting his Grace that there were 10 Battalions in the City and Caſtle of *Antwerp*, who ſeem'd inclin'd to ſurrender on Honourable Terms, whereupon my Lord Duke ſent the Brigadier an Authority to Treat with them. The ſame Day the Magiſtrates of *Bruges*, and of the *Franc*, waited on his Grace, to deſire his Protection, and make their Submiſſion, in form, to King *Charles*. His Grace had alſo notice that the Enemy had quitted *Damme*; and that 50 Dragoons of Major-General *Roſs*'s Detachment were gone to take Poſſeſſion of that Place, who were relieved by a *Dutch* Regiment out of *Flanders*; and another marched into *Bruges*. My Lord Duke ſent Colonel *Durel*, with a Detachment of 130 Horſe, and a Letter to the Governor of *Dendermond*, to ſummon that Place to the Obedience of King *Charles*. A Letter was alſo ſent to Major-General *Roſs*, for the Governour of *Oſtend*, to the ſame Purpoſe. The Bridges being laid over the *Scheld* and the *Lyſs*, the Army March'd at the ſame time to *Deynſe*. At the ſame time the Army retir'd to their Old Lines near *Courtray*, where Monſieur *de Marſin* was within reach to join them with 18 Battalions and 9 Squadrons.

But we muſt now return, to recite ſome Particular Matters, which ſeem to be the moſt Curious Points in the Hiſtory of this Campaign.

We have mentioned before the Marquiſs *de Deynſe*'s Letter, who was Governour of *Bruſſels*, to the Duke of *Marlbourough*, importing, that the States of *Brabant* and the Magiſtracy of *Bruſſels* having taken a Reſolution to ſend Deputies to him: They had deſired the Marquiſs to write to his Grace moſt humbly to deſire him ſend a Trumpeter to

Conduct them in a Safety to the Place where he ſhould think fit to receive them: That he had not the Honour to ſay more to him concerning his Particular Intereſts, and thoſe of other Perſons of Quality, who ſeem'd reſolved to ſtay there, if his Grace approved of it.

Upon this the Duke, and the Deputies of the States, wrote the following Letter to the States of *Brabant*.

Gentlemen,

'GOD Almighty having bleſt the Arms of the Allies in behalf of his Majeſty King *Charles* 'the Third, and the retreat of the Army of *France* 'having given us the Opportunity of approaching 'your Capital, I come to aſſure you of the Inten- 'tions of the Queen my Miſtreſs, as the Deputies 'do on the Part of the States-General their Maſters, 'and in the firſt place to tell you, That Her Ma- 'jeſty and their High Mightineſſes have ſent us to 'maintain the Juſt Rights of his ſaid Catholick Ma- 'jeſty *Charles* the Third to the Kingdoms of *Spain*, 'and to all that depends thereon; and that her Ma- 'jeſty, the Queen, and their High Mightineſſes no- 'thing doubting, but that you, being likewiſe con- 'vinced of the lawful Sovereignty of his ſaid Ma- 'jeſty, will with Pleaſure embrace this Occaſion of 'ſubmitting your ſelves to his Obedience, as faith- 'ful Subjects. We can aſſure you, Gentlemen, at 'the ſame time, on the Part of the Queen and the 'States, this his Catholick Majeſty will maintain 'you in the entire Enjoyment of all your Ancient 'Rights and Priviledges, as well Eccleſiaſtical as Se- 'cular; that we will be very far from making the 'leaſt Innovation in what concerns Religion; and 'that his Catholick Majeſty will cauſe thoſe Con- 'ceſſions to be renewed, which are termed, *The 'joyful Entry of Brabant*, in the ſame Manner as 'they were granted by his Predeceſſor *Charles* the 'Second, of Glorious Memory. As to our ſelves, 'we aſſure you, That the Army ſhall be employed

'every-

'everywhere for your Protection in ſuch manner as 'you deſire it; and that we will moſt earneſtly ſeek 'in every thing the Opportunities of ſhewing the 'Reſpect, and ſincere Eſteem, wherewith we have 'the Honour to be,

Gentlemen,

At the Camp of Beaulieu, May 26, 1706.

Your moſt humble and moſt obedient Servants,
The Prince and Duke of *Marlborough.*
Ferdinand van Collen,
Sieur *Goſlinga.*

As for the Letter of the Chancellor and Members of his Majeſty's Sovereign Council to his Grace and the Deputies, it contain'd in Subſtance, 'That 'they had the Honour to tell them, that they ſub-'mitted themſelves to the Obedience of his Majeſty '*Charles* the Third, and that they would upon all 'Occaſions give him ſincere Teſtimonies of the 'ſame Fidelity which they had paid to his Majeſty '*Charles* the Second of Glorious Memory: That 'they thank'd his Highneſs and their Excellencies 'for the Aſſurances they gave them on the Part of 'her Majeſty the Queen of *Great-Britain*, and the 'High and Mighty Lords the States-General; and 'particularly for that his Majeſty *Charles* III. would 'maintain their Rights and Privileges, as well Eccleſi-'aſtical as Secular; that no Attempt ſhould be made 'upon their Religion; and that his Majeſty would 'renew the Conceſſions, called *The Joyful Entry*, in 'ſuch manner as the ſame were Sworn to by his 'late Majeſty *Charles* the II. That they ſent Depu-'ties of their Body to expreſs theſe their Thoughts 'by Word and Mouth to his Highneſs and their Ex-'cellencies, to make their Acknowledgements for 'the Protection which they had been pleaſed to 'promiſe them upon all Occaſions.

At the ſame time came a Letter of the Three Eſtates of *Brabant* to his Grace and the Deputies,

' wherein was ſet forth, ' That they receiv'd ' with all poſſible reſpect the Letter which his ' Highneſs and their Excellencies did them the Ho- ' nour to write to them the 26th Inſtant, and ſhould ' without any Loſs of time Communicate it in ' the uſual and requiſite Form to the other Members ' of the Three States of that Country whom it might ' concern: That in the mean time they were come to ' return them a Thouſand moſt humble Thanks ' for the obliging Offers and the moſt honourable ' Marks they had receiv'd, of the Protection which ' his Highneſs and their Excellencies were pleaſed ' to grant them on the Part of Her Majeſty the ' Queen of *Great-Britain*, and their High Mighti- ' neſſes the States-General; and alſo the ſincere Af- ' ſurances given them, That his Catholick Ma- ' jeſty King *Charles* III. would maintain them in the ' full Enjoyment of their Ancient Rights and Privi- ' leges, both Eccleſiaſtical and Civil, without permit- ' ting the leaſt Innovation to be made in any thing ' that related to the Church; and that his ſaid Ma- ' jeſty would cauſe the Conceſſion, known under ' the Name of *The Joyful Entry of* Brabant, to be ' renew'd in the ſame manner as was done by King ' *Charles* II. of Glorious Memory: That they did ' not doubt but the other Members of the States, ' in the Day of their General Aſſembly, would ex- ' preſs (as they did at preſent) their perfect Sub- ' miſſion and Obedience, which ſhould be follow- ' ed by that Loyalty and Fervent Zeal which they ' had always ſhewn for him whom God had granted ' to them to be their Maſter and Sovereign; that ' they were alſo penetrated with a lively Senſe of ' all the Goodneſs and Favours wherewith his High- ' neſs and their Excellencies in particular had been ' pleaſed to honour them, and humbly pray'd that ' they would be fully perſuaded that they had the ' Honour to be, with Eſteem, *&c.*

The Letter from the Burgermaſters, Sheriffs, and Council of the City of *Bruſſels*, to his Grace and the

the Deputies, being to the ſame Effect, we purpoſely omit it, and come to obſerve, that all theſe Submiſſions and Acknowledgments were not for nothing, ſince the Allies from open Enemies were not only become the Friends, but Protectors of the *Flemings*. as appears by an Order of his Grace the Duke of *Marlborough*, the 26th publiſhed at *Bruſſels*, ſignifying, 'That he was reſolved to protect thoſe Provinces, and maintain all the Inhabitants in the quiet Poſſeſſion of their Eſtates and Effects, as good Subjects of *Charles* III. and did forbid all the Officers and Soldiers of his Army to do the leaſt Hurt to the ſaid Inhabitants; but on the contrary Commanded them to give them all the Help and Aſſiſtance they ſhould require: And declared that if any Soldier ſhould be taken Plundering or Doing any other Damage to the ſaid Inhabitants, their Houſes, Cattle, Moveables, or other Goods, he ſhould immediately be puniſhed with Death. And the more effectually to reſtrain Maroders, and oblige the Officers to keep their Soldiers under ſtrict Diſcipline, he further declared, that the Regiments or Corps, to which any Soldiers taken tranſgreſſing belonged, ſhould be obliged to make good to the ſaid Inhabitants all the Loſs and Damage they might have ſuſtained, without any other Form of Proceſs than the apprehending of ſuch Soldiers in the Fact, who ſhould ſuffer Death without Mercy. And that no Perſon might pretend Ignorance hereof, he Commanded theſe Preſents to be forthwith read and publiſh'd at the Head of each Squadron and each Battalion of the Army, and that a printed Copy ſhould be diſtributed to each Company.

Let us remember we left the Confederate Army Encamp'd between *Deynſe* and *Nevelle*, where the Magiſtrates of *Oudenard* came to wait upon the Duke of *Marlborough*, to deſire his Grace's Protection, and aſſure him of their Fidelity to his Catholick Majeſty. King *Charles* III. On the 5th the Army march'd and encamp'd with the Left at *Arſeele*,

ſeele, and their Right at *Caneghem*; and that Morning Baron *Schilde*, Treaſurer of *Antwerp*, with an Officer of the Garriſon of that Place, came to the Duke with Letters from the City; and the Marquiſs *de Terazena*, Governour of the Caſtle, praying that thoſe Gentlemen might have leave to go to the Elector of *Bavaria*, to receive his Directions upon the Conduct they were to obſerve in relation to the Summons they had receiv'd from his Grace: But the Duke did not think fit to grant their Requeſt; but ſent them back to *Antwerp* with Anſwers to the Letters they brought, and immediately detach'd my Lord *Orkney* with a 1000 Horſe, to join Brigadier *Cadogan*, and Inveſt the Place, with Directions to form the Siege, as ſoon as his Lordſhip could be join'd with 16 Battalions of Foot, who were order'd to march for that Purpoſe from *Flanders*. In the mean time his Grace diſpatched Orders to Brigadier *Cadogan*, to give the Garriſon no more than Four Hours to conſider of the Capitulation that was offer'd them, which was actually ſigned on the 6th, by which the Garriſon, conſiſting of Six *French* and Six *Spaniſh* Regiments, was allow'd to march out in Three Days, and to be conducted to *Queſnoy*.

When the Garriſon was to March out according to this Capitulation, One *Spaniſh* and One *Wallon* Regiment ſtaid behind entire; and of the other Regiments of thoſe Countries there were ſcarce 150 left, when they paſſed by *Bruſſels*, moſt of the Officers and Soldiers entring into the Service of the Catholick King; as likewiſe did the Marquiſs *de Winterfeld*, Lieutenant-General, and the Governour of *Lier*, who Commanded the Garriſon in the City of *Antwerp*; and the Baron *de Vrangle*, a Major-General, being Men of the Firſt Quality, and of great Credit among the Troops.

The Artillery being not come up, and therefore the Army being unable to undertake any thing for ſeveral Days, the Duke took that Opportunity to make a Step to the *Hague*, to confer with the States-Gene-

General about the further Operations of War, and ſome other Matters of the higheſt Importance, he ſet out the 8th in the Morning, and arrived there the 9th; and having finiſhed his Negotiations, return'd the 13th to the Army, having been receiv-ed at *Antwerp* with extraordinary Marks of Reſpect.

And now the Sieges of *Newport* and *Oſtend* being reſolv'd on, Mounſieur *Auverquerque*, with the Forces under his Command, advanc'd the 18th inſtant (*N. S.*) before the former, and made ſome Diſpoſitions for attacking that Place; but meeting with Difficulties, which wou'd have render'd this Siege more tedious than was expected, it was thought fit to begin with that of *Oſtend*; and accordingly he march'd that Way, inveſting the Town on the 18th of *June*. General *Fagel* having before made himſelf Maſter of the Fort and Sluce of *Plaſſendael*. To falicitate that Undertaking, Sir *Stafford Fairborn* arriv'd alſo with an *Engliſh* Squadron, to block the Place up by Sea. In the mean time the Duke of *Marlborough* with the Army under his Command march'd from *Arſeele*, and Encamp'd at *Rouſelaer* to cover the Siege. The Inhabitants of *Brabant*, upon the Army's being at this diſtance from them, began to fear leſt the Enemy, who had lately receiv-ed a Reinforcement from *Germany*, ſhould attempt to inſult them: But his Grace, to free them from any Apprehenſions of that kind, ſent Brigadier-General *Cadogan* with a Body of Horſe towards *Oudenarde*, and cauſed the neceſſary Diſpoſitions to be made for the immediate March of the Army that Way, upon the firſt Intelligence of the Enemies being in Motion. Brigadier *Meredyth*, who with a Detachment of our Troops had blockt up *Dendermonde*, was informed by Deſerters from the Town, that the Burghers had preſſed the Governour to ſurrender; which he refuſing to do, and inſiſting that they would wait at leaſt till ſuch time as our Cannon had begun to fire upon them, they obliged him to give them a Promiſe under his Hand that he would then Capitulate. However,

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the *French* found Means afterwards to Relieve the Town; but Brigadier *Cadogan* marching that Way, and the *Prussians* and *Lunenburgers* advancing toward *Aloſt*, the Governor thought fit to desire a Ceſſation for Twenty-four Hours to confer with his Officers. The late Elector of *Bavaria*, and Marſhal *Villeroy*, after their Defeat, held a Council at *Ghent*, where they ſeem'd reſolv'd to defend the Paſſage of the *Schelde*; but it being over-rul'd by the other General Officers, the Elector retir'd to *Mons* with the *Spaniſh* Army, and the Foot of the *French* were thrown into their Frontier Towns; and Mounſieur *Villeroy*, tho' he ſtood but upon a tickliſh Foundation himſelf, for their Opinion ſuſpended all the Officers that were contrary to his own Opinion of defending the Paſſes of that River, The *French* King hereupon having aſſembled a Great Council, wherein he told them, 'He had 'aſſembled them upon an Extraordinary Occaſion; 'That, contrary to his Expectation, his Army 'had been beaten in *Flanders*, and that he was 'inform'd ſome Reflections were made upon the 'Marſhal *de Villeroy*'s Conduct; but as he had ever 'looked upon him as a Man of Courage and Pru-'dence, and moſt Affectionate to his Service, he 'would not paſs any Judgment upon before he had 'their Advice. The *Dauphin*, who was to ſpeak firſt, excuſed himſelf Twice from delivering his Opinion in ſo nice a Matter; but being preſs'd a Third time by the *French* King, he frankly declared, 'That he did not think it to be for the good 'of the Nation that Marſhal *Villeroy* ſhould be 'continu'd in his Command. Hereupon the *French* King was obſerv'd to change Countenance and turn Pale, and the Duke of *Burgundy* ſtanding up to ſecond his Father (the *Dauphin*'s) Advice, the *French* King abruptly broke up the Council.

But the King's Levity was not ſufficient to ſecure the ſaid General from the reſentment of the People, who wou'd not leave murmuring till he was removed from his Command, and the Duke *de Vendome* ordered to Command in his Room. In

In the mean time the *French* made all the haſte they cou'd to take the Field again; and indeed their Diligence in this Caſe was commendable, giving out they wou'd have, by the middle of *July*, an Army of 60000 Men ready to oppoſe the Allies.

The Batteries began to play upon *Oſtend* the 21ſt, and diſmounted ſeveral of the Enemies Cannon on the Ramparts, while the Bomb-Ketches from the Sea ſet the Town on Fire in ſeveral Places.

The Duke of *Marlborough* coming the 22d in the Afternoon into the Camp, his Grace was ſaluted by 39 Guns from each Ship, and Sir *Stafford Fairborn* went on Shore to wait on his Grace. The 23d the Firing was continued with greater Vigour than before, inſomuch that above 2000 Bombs were thrown that Day into the Town; which, as it obliged ſeveral of the Garriſon to quit their Poſts, ſo it gave an Opportunity to the Beſiegers to erect a Battery very near the Gate; from whence they made ſo dreadful a Fire the 24th, that the Beſieged quitted the Counterſcarp. The 25th a ſufficient Breach was made for 16 Men to enter a-breaſt, and all things being ready for a Geneaal Storm, the Governour took down the Red Flag, and beat a Parley, ſending out an Officer with ſeveral Extravagant Terms; but was at laſt obliged to accept of ſuch as my Lord *Auverquerque* thought fit to grant him. The ſame Night the Capitulation was Sign'd, the *Dutch* took Poſſeſſion of the Town the next Morning; and my Lord *Auverquerque* made his Entry into it with great Acclamations of the Inhabitants, who ſhew'd an inexpreſſible Joy for being delivered from the Oppreſſion of a *French* Government. There were above 50 *French* and *Spaniſh* Men of War and Merchant Ships in the Harbour; but ſuch of the latter as belong'd to King *Charles*'s Subjects were Reſtor'd, and the others Confiſcated. Two Days after the Garriſon marched out between

tween 8 and 9 in the Morning, without any Marks of Honour; having only their Swords by their Sides, and having been oblig'd to promiſe not to bear Arms for Six Months following againſt King *Charles* III. or his Allies.

On the 8th the Garriſon march'd out according to this Capitulation, the *French* taking the Way of *Newport*, and the *Spaniards* that of *Mons*. The *French* Battalions were ſtill pretty full, and made 2000 effective Men; but Two *Spaniſh* Battalions and Four Troops of Dragoons of the ſame Nation did not make above 60 Men; the reſt having deſerted to returned home, or liſt themſelves for King *Charles*. Several of their Officers obtain'd leave to continue for ſome Days in the Place, and deſired Paſſages, that after having made a Report to the Elector of *Bavaria* of what happen'd in the Siege, they might retire to *Bruſſels*, which was granted them. The Trenches and other Works being levell'd, the Artillery was embarked for *Ghent*, and ſent away the 11th under the Guard of the Regiments of *Sigterman* and *Rechteren*; and Monſieur *Geldermalſen*, one of the Field-Deputies of the States, ſet out for *Ghent* at the ſame time, to give the neceſſary Orders for tranſporting that Artillery, where-ever Occaſion ſhou'd require. The 12th in the Morning Monſieur the *Velt Mareſchal* Decamped with his Army from *Marykerke*, and March'd to *Odenburgh*, having left the Regiments of *Landsberg*, *Janius*, *Egelin* and *Caris* in *Oſtend*, under the Command of Lieutenant-General *Spaar*, and the Regiments of *Flohr* in *Plaſſendael*: His Excellency thought fit to provide *Oſtend* and *Plaſſendael* with theſe ſtrong Garriſons againſt any Attack of the Enemy, when the Army was upon other Expeditions. He likewiſe ordered ſome new Fortifications to be made at *Plaſſendael*, that Poſt being of the higheſt Importance to maintain a Free Communi-

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cation between *Bruges* and *Oſtend*, and to defend the Sluices.

The next Day the Army of the States decamp'd and march'd toward *Pont Eſpieres* in order to join the Duke of *Marlborough*, and enter afreſh upon Action, who by this time had paſs'd the *Lys*, and Encamp'd at *Helchen*, between *Courtray* and *Eſpieres*, making himſelf Maſter of the Town and Chaſtellany of *Courtray*. The Prince Royal of *Pruſſia* arriv'd here with his Court, being met at ſome diſtance from the Camp by my Lord Duke of *Marlborough*, and the General Officers. His Grace conducted his Royal Highneſs to his Quarters, and entertain'd him at Dinner. The next Morning his Grace ordered the firſt Line of the Army to draw out and paſs in Review before his Royal Highneſs, who was extreamly well pleaſed with the good Condition the Troops appear'd in. The next Day the Duke, with the Prince Royal, and ſeveral General Officers, went with a Guard of 2000 Horſe, and 1000 Foot, to take a view of *Tournay:* On the 19th they went to view Monſieur *Auverquerque*'s Army, which came the Day before to St. *Vive-Eloy*, beyond *Harleback*, on the *Lys:* His Grace at the ſame time order'd that River to be view'd, and finding that the Enemy by their Sluices had drein'd the Water, ſo that there was not ſufficient to bring up the Boats with the Artillery, order'd a Detatchment to break all the Sluices between *Liſle*, *Armentiers*, *Courtray* and *Menin*; which laſt Place was Inveſted by a Detachment from both Armies the 23d of *July*; at the ſame time the *Palatines*, *Pruſſians*, and *Lunenburghers*, to the Number 22000 Men, arriv'd in the Duke's Army, which was now ſtronger than in the beginning of the Campaign. In the Interim the *French* continu'd to draw their Army together, but to ſo little Purpoſe, that they were not as yet able to give any Umbrage to the Confederate Army, who were now at leiſure to Beſiege and Take as many Towns as the Seaſon would permit;

permit; being ready to obſerve the Enemy as ſoon as they ſhou'd think fit to make any Motion. 'Tis thought they were the ſlower, in that they waited the arrival of the Duke *de Vendoſme*, who was coming from *Italy* to Command them, he being to retrieve the Glory of *France*, and give new Life to the deſpirited Troops, as appears by the Preamble to his Patent or Commiſſion, which ran thus.

Louis, &c. 'Notwithſtanding the continual 'Progreſs our Armies in *Italy* have made under 'the Conduct of our Right Well-beloved Couſin the 'Duke of *Vendoſme*, ſince the opening of the Cam-'paign in the Year 1702, when we truſted him 'with the Command of our Troops, ſeem to 'invite us to leave him the Care of finiſhing the 'War; yet the Neceſſity of putting at the 'Head of our Armies in *Flanders* a General, *who* '*may gain the Confidence of Officers and Soldiers, and* '*reſtore to the Troops that Spirit of Fortitude and Bold-*'*neſs ſo natural to the* French *Nation*; and the 'Knowledge we have that *no other is more* '*capable* to anſwer our Expectations than our 'Couſin aforeſaid, have determin'd us to recall 'him from *Italy*, to give him the Command of 'our Armies in the *Low-Countries*, being perſwaded 'that his Service will be more uſeful to us, and 'that in any Country whatſoever where he ſhall 'make War, it will be as glorioufly as in *Italy*. 'Therefore, *&c.*

This was a great Mortification to the reſt of the *French* Generals, eſpecially the Duke of *Bavaria* and Marſhal *Villeroy*, under whoſe Conduct the *French*, by the Confeſſion of their own King, loſt the Courage and Reſolution they were wont to poſſeſs. 'Tis certain this was an Impolitick Step; but the *French* Miniſters having lately had ſo many perplexing Buſineſſes under their Conſideration, and the *French* King himſelf ſo Perſonally Concern'd in the Misfortune of his Grand-

Grandſon, 'tis no wonder they fell into this Miſtake. 1706

Having done with this ſmall, but neceſſary, Digreſſion, let us return to the Siege of *Menin*, which as ſaid was Inveſted the 23d of *July*, tho' they did not open the Trenches till the 4th of *Auguſt*, waiting for the coming up of the Artillery from *Ghent*: The Approaches were carried on without any remarkable Occurrence till the 18th, when the Saps on the Right and Left being advanc'd as far as the Saliant Angles of the Counterſcarp, the Diſpoſition was made for the attacking it in the Evening; Lieutenant General *Schollten* and the Earl of *Orkney* Commanded at the Two Attacks, and each had under him a Major-General and a Brigadier, with 300 Grenadiers, as many Workmen, and a Detachment of the like Number of Fuſiliers to cover them; the whole being ſuſtained by the Nine Battalions that reliev'd the Trenches, Four on the Right, and Five on the Left. The Attack begun about Seven, upon a Signal of a Mine ſprung up at each of the Angles. The Men behaved themſelves with ſo great Bravery, that they ſoon beat the Enemy out of the Cover'd-way with great Slaughter, and made a Lodgment cloſe to the Paliſado's. The Enemy ſprung Two Mines during the Attack, which did them but little Harm; but they were expoſed to the Fire of the Ravelins and other Works for near Two Hours before they could cover themſelves, which occaſion'd the greateſt part of the Loſs: However, it was as little as could be expected in ſo warm a Service, and computed in the whole on both Sides to amount to 2000 Men Kill'd and Wounded.

In the mean time the Army under the Duke of *Marlborough* encampt at *Helchin*, only the Left was extended to *Lauwe*, near *Menin*; which was done, becauſe the Duke of *Vendoſme*, who arrived at *Valenciennes* on the 4th, was drawing toge-

ther an Army with which he threaten'd to attempt the Relief of *Menin*, but was after all oblig'd to content himſelf with being an Idle Spectator of the Surrender of it: He did indeed make ſome unneceſſary Motions at firſt, as tho' he would ſeem to have ſuch a Deſign in his view, but was too thoroughly convinc'd that the Duke of *Marlborough* would be glad to accept a leſs favourable Occaſion than that to bring him to a Battle: So that after a very handſome Defence the Garriſon capitulated on the the 22d of *Auguſt*. And the Duke of *Marlborough*, who went to ſee how the Siege was carried on, arriv'd juſt as the Enemy beat a Parley; ſo that his Grace had the Regulation of the Articles, by which the Garriſon was allow'd to March out with all the Marks of Honour, Four Pieces of Cannon, and Two Mortars, and were Conducted to *Douway* under a Guard of 200 *Engliſh* Horſe. Upon the Reduction of this Place, Six Battalions and Seven Squadrons were Detach'd from the Army to Beſiege *Dendermond* jointly with the Troops that had for ſome time block'd it up, and ſome *Pruſſian* and *Palatine* Troops from *Bruſſels*, from whence General *Churchill* ſet out to Command the Siege. The *French* Army in the mean time continued between *Liſle* and *Warneton* ſo ſtrongly Entrench'd, that their Camp look'd like a Regular Fortification.

The Siege of *Dendermond* was puſh'd on with ſuch Vigour, that after a Siege of 7 Days it ſurrender'd; the Garriſon demanded honourable Conditions, but General *Churchil* anſwered that he cou'd grant them no other Terms than to remain Priſoners of War, ſo that after a little Heſitation they ſurrender'd, and were Conducted to *Holland*.

The next thing of Conſequence the Allies had to undertake was the Siege of *Aeth*, or *Ort*, which after 12 Days ſurrender'd Priſoners of War, the Officers only being allow'd their Swords and Baggage; the Garriſon conſiſting of 1203 Men, was Conduct-

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ed to *Bergenapzoom* and *Breda*. The ſame Day his Grace went to the Camp before *Aeth*, where he had a long Conference with Monſ. *Auverquerque* and the States Deputies, and quickly after ſet out for the *Hague*; and here ended the Campaign on that Side, which had been ſo full of Glory and Advantage to the Confederate Cauſe.

We muſt now repair to another Place, where Fortune was little leſs Auſpicious in ſmiling upon the Arms of the Allies: But before I begin to ſpeak of Affairs on that Side, I wou'd fain put an End wholly to the trifling Campaign on the *Rhine*, which I think I ſhall do, by only ſaying that the *French*, who after making ſuch great Detachments for the *Netherlands*, had taken Poſt within their Lines, encourag'd by the Silence of the *Germans*, whom they expected wou'd have March'd toward 'em, broke up firſt, and advanc'd with the greateſt part of their Army nearer the *Rhine*, as if they deſign'd to paſs that River; this oblig'd Prince *Lewis* of *Baden* to cauſe the Foot of his Army to march likewiſe, and being join'd by the Troops that were at *Stolhoffen*, took Poſt at *Hagelſheim*, and caus'd a Line to be drawn along the Banks of the *Rhine*; in the mean time the *French* Garriſon of *Fort-Lewis* having in the Night between the 19th and 20th Inſtant lodged 9 or 10 Battalions on the Counterſcarp of that Place, by break of Day began to play with their Cannon againſt the Iſland over-againſt the Fort, called the *Salige Waert*, in which were poſted 3 Regiments; at the ſame time ſome *French* Barks full of Men Landed in the Iſland, whom the *Germans* oppos'd till 9 in the Morning; but being all the while expos'd to the Enemies Artillery and Small Arms, and having no Cannon with them, they were oblig'd to retire with the loſs of 200 Men kill'd and wounded.

I think indeed I may add to this, that the *Germans* made ſhift by the latter end of *Auguſt* to

paſs the *Rhine*; but ſo little was done that I ſhall give my ſelf no farther Trouble about it, but proſecute the Hiſtory of thoſe Glorious and ſurprizing Tranſactions I have hinted before.

The *French*, who talk'd of ending the War in *Italy* this Campaign, may be ſaid to have ſpoken Prophetically, tho' the Conſequence was liable to an Interpretation that neither they, nor (indeed) any Body elſe could have well ſuppos'd at the beginning of it, when they had driven the *Germans* beyond the *Adige*, and ſeem'd to leave them little Hopes of returning again, much leſs of relieving *Turin*, which Siege had been undertaken but on the certainty of giving the Imperialiſts a very handſome Diverſion on that ſide. But the Event was far from anſwering their Concluſions, and the Succeſs above the Expectations of others; few, I believe, who wiſh'd well to the Confederate Cauſe, having Ambition enough to hope that the *French* Army ſhould be driven into *Dauphine*, inſtead of being Victorious on the *Adige*, as they were but ſome few Weeks before: And we may obſerve by the difficult March of the *Germans*, that it requir'd no ſmall Conduct and Reſolution to Effect thoſe wonderful Succeſſes, with which it was attended. I think it has been noted before how much the Duke of *Vendoſme* magnified his own Conduct in Couping up the *Germans* with his Intrenchments behind the *Adige*; but all his Precautions ſerved only to Augment the Fame and Glory of Prince *Eugene*, his Adverſary, who ordered his Troops to make ſeveral Marches and Countermarches to amuſe the Enemy; and the better to conceal his real Deſign, Colonel *Patee* marched without Baggage ſecretly in the Night with a Detachment from *Melara* down the *Adige*, to find out a proper Place where to paſs that River. His Highneſs alſo went ſecretly that Night from his Head Quarters at St. *Martino*, and came about Ten the next Morning to

to *Melara*, from whence he proceeded toward *Caſtelbaldo*; near to which Place the *Palatine* Troops, thoſe of *Saxe-Gotha*, and the Imperial Regiment of *Bagni*, were advanced, and had ranged themſelves in a Line which reached near *Mezzi*, a Place that the *French* had fortified. The Enemy were much alarm'd with the Troops Arrival near *Mezzi*, and having ſent a Reinforcement thither from *La Badia* on the other ſide of the *Adige*, they ſallied out, to the Number of 1200 Foot, upon the *Palatine* Troops which lay neareſt to them, but were repulſed with conſiderable Loſs; and towards the Evening, the General gave Orders for the erecting of a Battery againſt the Enemies Poſt at *Mezzi*. On the 6th of *Auguſt* his Highneſs received Advice from Colonel *Patee*, that being marched as far as *Rotta Nuova*, he had ſent 500 of his Men over the *Adige* in Boats, who had taken Poſt on the other ſide; upon which Orders were ſent immediately to make a Bridge there to paſs over the River with the reſt of his Detachment, and to ſecure himſelf of ſome Advantageous Poſt, where the Enemy might not ſurprize or force him. His Highneſs alſo detach'd an Adjutant-General with ſome Troops, with Orders to poſt himſelf on the Banks of the *Adige* between *Mezzi* and *Rotta-Nuova*, and to obſerve whether the Enemy ſent any Troops along that River towards the Place where Colonel *Patee* had paſſed it, and to give Notice thereof to his Highneſs, and to the ſaid Colonel. On the 7th Colonel *Patee* ſent an Account to the Prince that his whole Detachment had paſs'd the *Adige*, and that the Enemy had thereupon quitted all their Poſts thereabouts as far as *La Badia*, and a Body of them was drawing together at *Canda*. On the 8th in the Morning the the Enemy, to their great Surprize, (for their Batteries had not begun to fire) abandon'd *Mezzi*, which they had fortify'd ſo well that they might have held it a long time. His Highneſs judging the Ene-

my might alſo quit *La Badia*, he gave Orders to Lieutenant-Colonel *Hoffman*, who commanded the Regiment of *Bagni*, upon the firſt Notice of their having ſo done, to paſs the *Adige* in Boats with that Regiment, and to ſecure that Poſt. His Highneſs himſelf croſſed the River, aud went to Colonel *Patee*'s Detachment; and upon his Arrival there was informed that the Enemy had actually quitted *La Badia*; upon which he ſent out Count *Jorgor*, Lieutenant-Colonel of the Regiment of *Herbeville*, with 200 Horſe towards that Place, and followed in Perſon with the reſt of Colonel *Patee*'s Detachment. Being arrived there, he found Lieutenant-Colonel *Hoffman*, with the Regiment of *Bagni*, before one of the Gates of the Town, ready to enter it, the *French* being then actually marching out at another Gate. The Enemy had no ſooner evacuated the Place but ſome *Venetian* Troops took Poſſeſſion of it, and refuſed to admit thoſe of the Emperor: Whereupon Prince *Eugene* repreſented to the Governour, that that Place was not properly a fortified Town, but a Poſt Occaſionally fortify'd; and that the *French* having juſt evacuated it, he could not, according to the Rules of an exact Neutrality, refuſe him Entrance: But having in vain endeavoured by fair Means to bring the Governour to Compliance, he gave Order for breaking down the Gate, and took Poſſeſſion of that Important Poſt, proteſting againſt the Governour's Proceedings, and that he alone ſhould be anſwerable for any Conſequences that might attend it. On the 9th Prince *Eugene* received an Account that the Enemy had alſo quitted the Canal of *Malopera*, and were retir'd towards *Caſtagnato* behind the Canal *Bianco*, and that they were under great Conſternation; which indeed was evident from their abandoning, with ſo much Precipitation, ſo many Poſts, which they had fortified with ſo much Art and Labour, that 'twas expected they would have diſputed the Ground Foot by Foot: But it will

will be neceſſary now before we proceed further to ſee what had been doing at the Siege of *Turin*, and leave the Duke of *Orleans*, who was now come to Command the *French* Army, to obſerve the March of Prince *Eugene*.

The *French*, who at firſt ſat down before *Turin* with abundance of Reſolution and Security, not doubting but they had Projected the Siege upon a right Foundation, began now to deliberate a little on the Succeſs; having ſpent Thirty-four Days before it without taking the leaſt of the Additional Outworks, which the Duke of *Savoy* had built to cover the Ancient Fortifications: This put them to conſider, that as well here, as at *Barcelona*, tho' they had calculated the Time right enough, yet they had not allow'd for Accidents and Impediments that might Intervene; the true Meaſures of which were, to take the Town time enough to oppoſe Prince *Eugene*, and ſend a Powerfull Force into *Spain* to reſtore Matters on that Side: But either the Duke *dela Feuillade* hus banded the Time ill, or the Conjecture the *French* Court made was mightily out of the Way, as the Sequel in both Places made it appear: However, that we may give ſome Account how the Siege was carried on, we ſhall inſert a Part of Count *Daun*'s Letter who commanded in the Place, being likelieſt to contain the moſt exact Account.

'The Enemy, as your Excellency knows very 'well, came before this Place with 70 Battalions 'and 50 Squadrons the 13th of *May* laſt, and 'on the 16th they opened their Trenches, and 'carried on Two Attacks, one againſt the Citta-'del, and another againſt the City. They made 'their Batteries, and carried on their Approaches 'with ſo much Succeſs, that 20 Days ago by 'means of their great Fire they made Breaches 'in Two Counter-Guards, a half Moon, and a 'Baſtion, which were ſo eaſie to be mounted, 'that they attempted Three ſeveral times to lodge

‘ themſelves thereon, tho' they were as often re-
‘ pulſed. The Fire laſted Four Hours in the Storm,
‘ during which the Enemy renewed Three times
‘ their Attack; but the Garriſon made ſo Brave a
‘ Defence, that they drove the Enemy over the
‘ Ditch, ſo that they gained none of our Works,
‘ and contented themſelves to make a Lodgment on
‘ the Cover'd-way: Our Garriſon has ſuffered very
‘ much in this long Siege, as your Excellency will
‘ ſee by the following Liſts; and I muſt tell you,
‘ that the Enemy made during the ſame ſuch a ter-
‘ rible Fire from their Cannon, Mortars, and Small
‘ Arms, and threw ſuch a Number of Bombs,
‘ Grenadoes and Stones, that I verily believe the
‘ like was never ſeen in any Siege. Many Brave
‘ and Noble Actions have been performed
‘ by our Garriſon on this Occaſion, and they have
‘ found out ſeveral new Means to defend them-
‘ ſelves, and diſpute the Ground Inch by Inch, in
‘ order to gain time; and had they not wanted
‘ Powder, they would certainly have made a greater
‘ Execution. The Conſtancy and Zeal of the ſaid
‘ Garriſon cannot be ſufficiently praiſed; and
‘ tho' Two Thirds of them were new raiſed
‘ Men and Boors, yet every one, as well Soldiers
‘ as Officers, have ſhew'd ſo much Bravery that
‘ they always appeared ready to Sacrifice themſelves
‘ for the Common Cauſe. By this we may ſee
that the Garriſon, as well the Prince himſelf, was driven to the greateſt Streights, and ſtood in need of the promis'd and much wiſh'd for Succours, which were Succeſſfully marching towards them, and which we now come to in its proper Place.

Prince *Eugene* being arriv'd in the *Modeneze*, encamp'd the 11th of *Auguſt* at St. *Stephano*, and from thence advanc'd in 6 Columns toward the Enemy, who were poſted behind the River, or Canal *Parmegiana*: He made the neceſſary Diſpoſitions to Attack them; but having view'd in Perſon the Banks of thoſe Rivers, and found the ſame unpaſſable, in ſight of the Enemy, who had aſſem-

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bled all their Forces to oppoſe him, he directed his March another Way, and encamped in a Plain between *Novi* and *Carpi*, from whence he detach'd 8 Battalions and 3 Regiments of Horſe, Commanded by Major-General *Zumjungen*, to Beſiege *Carpi*, which Surrender'd on the 5th, the Garriſon being made Priſoners of War, to the Number of 337 Private Soldiers, 20 Dragoons, 1 Colonel, 9 Captains, and 17 Subaltern Officers.

The Prince having happily proceeded thus far, and furniſh'd *Final* and *Carpi* with all things neceſſary, he march'd, on the 7th, to *San Martino*, and halted there next Day, to wait for his Bread-Waggons, and on the 9th continu'd his March, and encampt at *San Proſpero* near *Reggio*. The 10th Prince *Eugene* held a Council of War, in which it was reſolved to Form the Siege of *Reggio*: The following Night his Highneſs detach'd ſome Troops, who took Poſt before the Caſtle of that Place with the Loſs of 6 Men Killed, and 18 Wounded. On the 11th at Day-break General *Kriechbaum* march'd with another Detachment to form a Second Attack againſt the Town; and Major-General *Zinzendorf* paſs'd the *Croſtrolo* with ſome Horſe, to prevent the carrying any thing in or out of the Place. The following Night the Beſiegers carried on their Approaches within 20 Paces of the Ditch of the Town. The 12th, the Town offer'd to Capitulate; but the Enemy refuſing to include the Caſtle in the Capitulation, Prince *Eugene* rejected their Offer. The ſame Night the *French* abandon'd the Town, and retir'd into the Caſtle. The Caſtle offer'd on the 14th to Capitulate; but all Terms being refus'd them, the Garriſon became Priſoners of War, which conſiſted of One Battalion of *Mirabeau*, and ſome Companies of the *Italian* Regiment of *Rangoni*: In the Caſtle were found 26 Pieces of Braſs Cannon, 50 Quintals of Powder, and other Ammunition. On the 19th the Army having decamp'd,

paſs'd

paſs'd the *Lenza*, which was dry, and advanc'd within Two Miles of *Parma*. M. *Ebin* went with 200 Horſe to view the Camp, and obſerve the Motions of the Enemy, who were near *Guaſtalla*.

It cannot be expected we ſhould give a Journal of every Day's March, either of the *Imperialiſts* or *French*; let it ſuffice, That notwithſtanding the continuance of the Heats, the want of Water, the difficulty of being well ſupplied with Bread, and the cloſeneſs, activity and vigilance of the Enemy incommoded the *Imperial* Army to the laſt Degree, yet they ſurmounted all Dificulties, and by the 24th gained the Paſs of *Stradella*, which all their Friends were terribly afraid they could not be able to accompliſh. The Army on the 28th encamped at *Magi* on the *Tanaro*, and the Body under General *Kriechbaum* advanc'd towards *Iſola*, whence he enter'd into *Piedmont*, having paſs'd the *Tanaro* over the Bridge of Barks which his Royal Highneſs had caus'd to be laid Three Miles above *Aſti*: By which time moſt of the Duke of *Orleans*'s Troops were alſo arriv'd in *Piedmont*.

The 29th the Army purſued their March to *Iſola*, where they paſs'd the *Tanaro* over the ſame Bridge; and the ſame Day Prince *Eugene* join'd the Duke of *Savoy*, who was advanc'd above *Carmagnole* near a Meadow, in which was the joyful Interview.

On the 2d of *September*, their Highneſſes, accompanied by ſeveral Generals, went above *Chieri*, upon the adjacent Hills, to take a full View of the Siege of *Turin*, and the Enemies Intrenchments: And on the 4th the Army decamp'd and march'd up the Left of the *Po*, which they afterwards paſſed in good Order over Two Bridges, and thence marched towards *Bagnaſco*, where having paſs'd the *Sangon*, a Camp was form'd. And the Night before Four Battalions and a Regiment of

of Dragoons were detach'd towards *Chieri*, to join a great Number of the Militia of the Country.

On the 5th they purſued their March towards *Pianezza*, and on the Way had Intelligence that a great Convoy of the Enemies, with a numerous Guard, was coming from the Valley of *Suza* to their Army; whereupon his Royal Highneſs and Prince *Eugene* made the neceſſary Diſpoſitions for Attacking it, which was done with ſo great Vigour, that the Guard was entirely defeated, and the Convoy taken, Part excepted, which fled to the Caſtle of *Pianezza*, into which the Grenadiers entring by a Vault, the Enemy beat a Parley; but it was difficult to ſtop the Fury of the Soldiers, who had begun to put to the Sword all they firſt met, yet ſome eſcaped; 250 were made Priſoners, with 30 Officers, and Two Standards were taken, with the reſt of the Convoy, which in all conſiſted of about 1450 Mules or Beaſts of Burthen, loaded with Powder, Meal, Arms, and other Ammunition.

Upon this their Highneſſes caus'd their whole Army to paſs the *Doria*, and to encamp the Right Wing at *Pianezza*, and the Left at the *Venerie*; and a Reſolution being taken to attack the next Day the Enemy in their Intrenchment between the *Stura* and the *Doria*, the Diſpoſitions were made in Preſence of all the Generals: The Foot were to be the Vanguard, and without beat of Drum the Grenadiers were to draw up before the *Pruſſian* Troops an Hour before Day, and by Day-break all was ready, and they were to march into the Plain, and to make a Halt when they came within Cannon-ſhot; and the Four Brigades of the Firſt Line were to form to the Left, that the *Pruſſians* might cloſe up to the *Stura*, and the reſt extend to the Right as much as poſſible; and to make Room for the Cannon, an Interval of between 20 and 30 Paces was to be left between the Battalions. The Second Line was to obſerve the ſame Order, but with larger Intervals than the Firſt,

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in Case of Disorder the Battalions might form themselves anew behind them; and this Line was to march at the Distance of 3 or 400 Paces from the First, regulating themselves according to the Motions of the said First Line, and observing that no Soldier Fired without the Officer's Order. And when, by the Divine Assistance they should force the Enemies Intrenchment, the First Line was to Form and post itself till it should receive Order, and open for the Horse, which was to observe the same Direction as the Foot, with this Difference still, that the First Line was to form Six Columns, and the Second as many as they were Brigades, but with larger Intervals than the Foot, for the Reason abovemention'd. All the Hussars were to march in the Van, and act as they should be order'd: The rest of the Artillery was to march behind the Foot, and all the Baggage to keep behind towards the Left Wing, there to wait for Orders. When they came just within Reach of the Enemies Cannon the Horse stopp'd, and the Foot form'd into Two Lines, whence all the Enemies Camp lay open to View, and then they saw their Intrenchment was greater than they had imagined. The Enemy began to Cannonade them furiously, and continued it Two Hours, before they were entirely form'd; but the Grenadiers having taken their Post, and their Foot being drawn into Two Lines, the Left Wing was order'd to advance leisurely along the *Stura*, to give Time to the Right to form itself, and to advance towards the Enemies Intrenchment; then they began on their Left Wing to Cannonade the Enemy; but they were in a wide Plain wholly expos'd, whereas the Enemy Cannonaded them cover'd from behind their Intrenchment, and this Cannonading lasted from half an Hour past Eight till near Eleven. At length all being ready, and the Orders given for the Attack, all the Grenadiers of the *Imperialists* and Allies, led by Colonel *Salmut*, as also the *Prussian* Foot, being nearer to the Enemy than the Right Wing, attack'd First, Commanded

manded by the Prince of *Anhalt*, and the Major-Generals *Stillen* and *Haghen*, his moſt Serene Highneſs leading them on in Perſon with extraordinary Bravery and Valour. The Fire was vigorous, both with Musket and Cartridge-ſhot; and while that Prince was in full Attack, the Prince of *Wirtemberg* and Major-General *Zumjungen* with their Brigades fell on, as did Major-General *Rhebinder* with the *Palatines*; at the ſame time likewiſe the Prince of *Saxe-Gotha* and Major-General Count *Konigſeck* began on their Side to attack with their Brigades. Then the Fire grew general and fierce on both Sides, but the Event dubious; till at laſt on the Left, all the Grenadiers, with the *Pruſſian* Foot and the Brigade of *Wirtemberg*, conſiſting of Five Imperial Regiments, ſurmounted the vigorous Reſiſtance of the Enemy, forc'd the Intrenchment, and at the ſame time levell'd it to open the Way for the Horſe: But not ſtopping there, nor forming themſelves according to the Diſpoſition that had been made; but on the contrary, ſeveral Troopers that had entred Precipitately purſuing and puniſhing the Enemy, General *Iſelbach* who was in the 2d Line, and who was to ſupport the Brigade of *Wirtemberg*, detach'd from his own Brigade the Regiment of *Staremberg* under Colonel *Haindi*, and caus'd him to poſt himſelf on the Intrenchment, with Order to turn the Enemies Cannon againſt themſelves, and not to abandon that Poſt happen what would: This was executed very ſeaſonably, for that Regiment had hardly poſted itſelf when the Enemy who fled fac'd about, repuls'd Part of our Horſe, and penetrated through the *Pruſſian* Foot, becauſe the Imperial Foot had mov'd to the Right to make an Aperture; but the Regiment of *Staremberg* ſupported the *Pruſſians* with ſo great Bravery, that the Enemy was forc'd to give Ground, and by that Means the ſaid *Pruſſians* had time to put themſelves in Order again: In the mean while the Horſe of the Right Wing advanc'd, and all toge-

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ther put the Enemy to the Rout a Second time.

At the ſame time Baron *Rhebinder* had likewiſe forced the Intrenchment; but the Prince of *Saxe-Gotha* met with greater Obſtacles, being oblig'd for an Hour and a half to endure a great Fire, becauſe he made his Attack by *Lucenta*, which Poſt the Enemy were at Hand to defend: But notwithſtanding that, his Highneſs ſtood it with extream Bravery, and gallantly repuls'd the Enemies Horſe, who had made an Opening for themſelves on the Left Wing. In the mean time the Enemy reinforcing more and more, Baron *Kriechbaum* and Count *Harach* ſupported vigorouſly the Prince of *Saxe-Gotha*, while Baron *Iſelbach*, with Major-General *Bonneval*, punctually executing their Orders, entred into Action likewiſe with the Enemy; and during this Fight near *Lucenta*, where was the Head of a Bridge of the Enemies, a Caſſine was forc'd, and a Battalion in it made Priſoners. The Imperialiſts lodg'd themſelves in that Caſſine, and took Poſt on the Right and Left towards the Intrenchment, to obſerve *Lucenta*, in Caſe the Enemy ſhould have caus'd any Troops to advance on the other Side of the *Doria*: But Orders were ſent at the ſame time to the Foot of the Right Wing not to attack *Lucenta*, that our Men might be ſpar'd, becauſe it was perceiv'd the Enemy were betaking themſelves to flight.

While the Right Wing was hotly engag'd, they continu'd to repulſe the Enemy on the Side of the *Stura* with great Vigour: But the *French* having rallied by forming a Line, having to deal only with our Horſe, and having before them a long and ſpacious Ground, they were oblig'd to wait till their Foot came up with the Cannon, and till then were content only to obſerve them: But then they renew'd the Charge, and put the Enemy again into ſuch Diſorder, that though they had behind their Line another Intrenchment with ſeveral

ral Redoubts, and ſeveral Caſſines well fortify'd, they drove them from one to t'other quite to their Bridge on the *Po*, and all yeilded at Deſcretion. They beat them likewiſe out of *Lucenta*, in which was a great Magazine of Meal, Bread and Biſcuit, and forc'd them to abandon their Bridge on the *Doria*; but the *French* having ſet Fire to *Lucenta*, they found only what remain'd of the Proviſions unconſum'd, which with what was found beſides in their Camp, amounted to 3000 Sacks of Corn and Meal, and 2000 Sacks of Biſcuit. Thus they became Maſters of all the Enemies Camp between the *Stuara*, the *Po* and *Doria*.

In the mean time, tho' the Enemy were intirely beaten, they ceas'd not to batter the Place till towards Night, when they were forc'd to abandon with Precipitation their Approaches, all their Cannon, Mortars, Ammunition, and Furniture of War, in great Quantity: But in their Flight they ſet Fire to ſeveral Magazines of Powder, Bombs, and Grenadoes, which they had in divers Places, and blew them up one after the other. However, the Imperialiſts found themſelves in Poſſeſſion of about 100 Pieces of Cannon, large and ſmall, with a great Number of Priſoners: Beſides, ſeveral Standards, Colours, Kettle-Drums, and other Implements of War, were brought in; without reckoning the Booty they made of a great Quantity of Baggage, and the Horſes of Ten or Twelve Regiments of Dragoons, who had alighted, and were obliged to abandon them.

On the Imperialiſts Side were loſt in the beginning of the Battle Colonel *Hofman*, the Prince of *Beveren*, Colonel of *Wolfembattle*, and Lieutenant-Colonel *Neidern* of *Wirtemberg*: Wounded, Major-General *Kricchbaum* ſlightly, the Majors-General *Stillen* and *Haghen*, with the Colonels *Riedt*, *Salmut*, and another of the *Pruſſians*: Beſides theſe, they had many Inferior Officers Kill'd or Wounded. This Great Action laſted till Night, becauſe of the Intrenchments, Redoubts and fortified Caſſines, whence

whence they were obliged to beat the Enemy ſucceſſively; whereby they gain'd the Night, which was the more favourable to them for their Flight, becauſe the Imperial Troops for Wearineſs had need of Reſt: However, they did not neglect to ſend ſeveral Detachments in Purſuit of them.

The Joy which this happy Deliverance ſpread through the City of *Turin*, which was reduc'd to the laſt Extremity, cannot be expreſs'd, eſpecially when His Royal Highneſs, after the Action, enter'd, with Prince *Eugene*, to render Thanks to God for the Victory; he was welcom'd with a Salvo of all the Artillery, in which the little Powder that was left was conſumed; and by that 'twas eaſie to judge of the Extremity, as well as the Publick Joy. The Enemies Loſs in this Battle amounts as follows.

The Marſhal of *Marſin*, Priſoner, and Dead of his Wounds; Count *Murce*, Lieutenant-General; *La Bretonniere*, General of the Horſe; Meſſieurs *de Seneterre* and *Villiers*, Mareſchals de Camp; the Marquiſs *St. Bonneval*, Brigadier, taken by his own Brother, who left the *French* Service with the Marquiſs *de Langallerie*. Beſides theſe Priſoners, they had 8 Colonels, 12 Lieutenant-Colonels, 6 Majors, 98 Captains, 111 Lieutenants, 34 Comets or Enſigns, 30 Engineers or Commiſſaries of the Artillery, 7640 Private Men, including thoſe taken in *Chivas*, which together with 4706 Kill'd in the Battle, made the Loſs 12670 Men, beſides thoſe they had loſt in their Retreat for want of Proviſions, or Medicaments, and thoſe the *Vaudois* had Kill'd. The *Germans* found in their Works 255 Pieces of Cannon, 108 Mortars, 7800 Bombs, 32000 Royal Grenado's, 48000 Cannon-Balls, beſides a Prodigious Number in the Ditches, &c. 4000 Cheſts of Muſquet-ſhot, and 86000 Barrels, each 100 lb. weight of Gunpowder. They took all their Tents and Baggage, 5000 Horſes, Mules, or Oxen, 27 large Boats loaded with Ammunition, all the Pontons, 4 Pictures of the *French* King ſet with Diamonds, valued at 4000 Piſtoles,

and

and Monſieur *de Carreſt*, Commiſſary-General of their Army, was taken, with all his Mules, ſo richly laden, that that Part of the Booty alone was valued at 3 Millions of Livres: Beſides which, the *Imperialiſts* took the Horſes and 13 Regiments of Dragoons, in all 10000, which ſerv'd as a ſeaſonable Recruit for their Cavalry. 1706.

Whilſt theſe things had been tranſacted in *Piedmont*, the Prince of *Heſſe-Caſſel*, who was left with a Body of Troops to attend the March of Prince *Eugene*, and give a Diverſion to the Enemy on the Side of the *Mincio*, paſs'd that River, and inveſted *Gioto*, which ſurrender'd to him on Capitulation: From thence he advanc'd to *Caſtiglione*, which Place he laid Siege to; but not having Artillery to carry the Place in the time he promis'd himſelf, the Count *Medavi*, who commanded a Body of *French* Forces left to oppoſe his Highneſs, taking Advantage of the long continuance of the Siege thereof, and having with great Secreſie Reinforc'd himſelf with Detachments drawn out of the Garriſons of ſeveral Places, he appear'd before the Prince of *Heſſe*'s Camp, whereupon there enſu'd a very ſharp Action, in which that Prince attack'd the Enemy's Centre, with his uſual Valour, inſomuch that he ſoon overthrew with his Foot the Enemie's Infantry, and made himſelf Maſter of their Cannon, which he diſcharged Twice upon them. The Horſe of his left Wing repulſed alſo at the beginning that of the Enemies Right; but their Left Wing, which at firſt appeared leſs ſtrong, extending it ſelf afterwards ſo far beyond his Right, that they might take it in Flank, which by reaſon of the difficult Scituation of the Ground could not before be diſcern'd; and his Highneſs conſidering, that with 8000 Men, (to which number his Army had been reduc'd by Sickneſs) he could no longer reſiſt the Enemy, who being 17 or 18000 ſtrong, had already regain'd the Advantage they had loſt, he choſe rather to retire to *Valeggio*, which he did

in good Order; the Enemy making to ſhew to hinder him, which they might have done by their great Superiority, and by which they gain'd but ſmall Advantage, the Loſs being almoſt equal on both Sides; and Count *Medavi* having farther Intelligence of their Defeat before *Turin*, inſtead of Improving this Succeſs, was oblig'd to throw himſelf into the *Milaneze*; which gave the Prince of *Heſſe* an Opportunity to Collect his Army, and repaſs the *Adige*, which River the Enemy had forc'd him to paſs after the Battle, by advancing with all their Forces to cut off his Communication therewith; after which, having paſs'd the *Tartaro*, and the Two Branches of the *Po*, we ſhall leave him Marching toward the *Cremoneze* to join Prince *Eugene*; who, with his Royal Highneſs the Duke of *Savoy*, loſt no time in reaping the Fruits of their late Glorious Victory, all Things tending to as great and ſurprizing a Revolution in *Italy*, as that which attended the Famous Battle of *Ramilly* in the *Low-Countries*. I think we have obſerv'd that the *French* after their Defeat retreated with the miſerable Remains of their Army into *Dauphine*, making Detachments to join the Prince of *Vaudemont* in the *Milaneze*; but thoſe Detachments found the Paſſages ſo well guarded by the *Imperialiſts* and *Piedmontois*, that they were forc'd to return with the Diſadvantage of having ſeveral of their Men deſert to the *Germans*: Nor were theſe alone the Conſequences of this Defeat, for the Enemy were forc'd to abandon ſeveral Important Places, as *Pignerol*, *Ivrea*, *Vercelli*, *Trino*, and at the ſame time *Chivas*, *Creſcentino*, and the Fort of *Barr* ſurrender'd, the Garriſons of the Two former being made Priſoners of War. And now it is time to take Notice that the Victorious Army under his Royal Highneſs and Prince *Eugene* decamp'd from about *Turin* the 13th of *September*, and advanc'd toward the *Milaneze*, from whence the Prince of *Vaudemont*, Governour of *Milan*, retir'd with his Family

and

and Effects to *Pizzighitone*, where the Count *de Medavi* was with his Body of Troops.

Prince *Eugene* having advanc'd to *Corsico*, within 4 Miles of *Milan*, sent a Trumpeter to summon it to Surrender; those that were upon Duty at the Gate, through which he entered, and those on the Bastions, made Great Acclamations of *Long Live the Emperor, and King* Charles *the Third*; whereupon the Magistrates immediately Assembled, and sent Deputies with the Keys of the City to Prince *Eugene*.

The next Day Orders were sent to all the Towns and Places of the *Milaneze* for disbanding the *Militia* of the Country, that were in their Pay, enjoining them for the future to obey no Orders but Prince *Eugene*'s, and Two Regiments were at the same time receiv'd into *Milan*, and Two Squadrons were also commanded to block up the Castle, (into which the *French* and *Spanish* Garrison had retir'd,) on the Side of the Country till further Orders; an Agreement being made between the City and Castle that no Hostilities should be committed on either Side, on Condition that the Castle should not be attack'd on the Side next the City. The same Day Prince *Eugene* made his Entry into *Milan*, and was received with the loud Acclamations of the Inhabitants, where he received Advice that *Lodi*, and *Como* had both submitted. From thence he advanced to *Lodi*, and Count *Daun* was ordered to form the Siege of *Pavia*, before which he opened the Trenches the 8th of *September*, and the Garrison Capitulated after a Siege of 6 Days upon Honourable Terms; while Castle *Leone* and Castle *Trezzo* were possest by the Imperialists: By the Reduction of *Pavia*, the *Ticino* being free, and the Country covered on that Side, it was resolv'd without any delay to Besiege *Pizzighitone*, in order to make themselves Masters of the *Adda*; and Lieutenant Colonel St. *Amour* was ordered to

Poſt himſelf with his Detachment on the other Side that River, to cut off the Communication between that Place and *Cremona*, which Order having been executed, the Enemy were obliged to retire in their Works on the other Side the *Adda*. And here his Royal Highneſs the Duke of *Savoy* being arrived to command the Siege in Perſon, received Advice, that the Garriſon of the Caſtle of *Verue* had ſurrender'd themſelves Priſoners of War; as the Garriſon of *Soncino* had done juſt before.

Prince *Eugene* being march'd with part of the Army upon other Enterprizes, the Siege of *Pizzighitone* prov'd a tuff piece of Service: However, the Prince of *Heſſe* coming up with his Troops, the Place was attack'd with ſo much Vigour that it ſurrender'd ſoon after; the Garriſon obtain'd the uſual Marks of Honour; accordingly all the *French* Troops marched out, but the *Germans*, *Swiſs*, *Italians*, and *Spaniards*, either enter'd into the Service of the Allies, or deſir'd Paſſes to return Home,

This Torrent of Succeſſes did not meerly perplex, but almoſt diſtracted the Councils of the *French* Court. There had been already Two Fatal Expeditions, (they ſeem'd to have been put upon thro' Neceſſity *viz.*) the Sieges of *Barcelona* and *Turin*; both which in their Miſcarriages were attended with very Fatal Circumſtances. Yet the deſperate Face of Affairs in *Italy* had like to have put them upon another as full of Hazards and Uncertainty, and like to be attended with as great Misfortunes if it had been undertaken, which was the return of the Duke of *Orleans* into *Piedmont*, a thing hotly talk'd of at *Paris*; notwithſtanding it was repreſented by that General, and others in the ſame Army, to be neither Practicable, nor like to be attended with Succeſs; yet there was no perſuading the Court (at leaſt the King) of *France* againſt it: The Condition of Affairs indeed

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ſeem'd to require ſome extraordinary Remedy; the Loſs of the *Milaneze* was inevitable, and the Army under Count *Medavi* was otherwiſe look'd upon to be little better than Priſoners of War, who was then ſhattered under the Cannon of *Mantua*.

To this End the Duke of *Orleance* continued to put the Army into the beſt Condition he cou'd, and Monſieur *Vibray* was actually ſent into the Valley of *Aoaſt* to try whether a Paſſage might be had that Way; but he was ſoon oblig'd to return: Then they propoſed to enter the Plain of *Turin* by the Way of *Suſa*, and ſome of their Troops advanc'd thither; but both Officers and Soldiers were ſo averſe to this Expedition, that they deſerted in great Numbers, till the *French* Court were at length made ſenſible it was not to be undertaken, and therefore ſent Orders for the Army to ſeparate into Quarters, by which the Duke of *Savoy* and Prince *Eugene* had a clear Opportunity to purſue and enlarge their Conqueſts.

Prince *Eugene* having left the Duke of *Savoy* before *Pizzighitone*, paſſed the *Po* with the reſt of the Army, and advanc'd to *Tortona*, ſending a Trumpeter before to ſummon it to Surrender: The Officer Commanding there returning Anſwer, that he wou'd defend himſelf, his Highneſs cauſed the Army to move up toward it, and gave Order for a Battery of Cannon and Mortar to be got ready the next Night, and next Day Commanded the Prince of *Darmſtadt* to march with all the Horſe, and Inveſt *Alexandria*: Immediately after whoſe arrival there the Magazine of Powder in that Place blew up, which threw down ſeveral Fathom of the Wall, and did conſiderable other Damage: Whereupon Prince *Eugene* held a Council of War, in which it was reſolved to follow the Prince of *Darmſtadt* with moſt of the Foot, leaving the reſt before *Tortona* under General *Iſſelback*; which Town ſurrendred, the Garriſon retiring into the Caſtle: In the mean time General *Zumjungen* took

in the Town and Caſtle of *Arona*. Prince *Eugene* arriving before *Alexandria*, began to batter it with great Fury, which laſting for ſome time, the Beſieged Beat a Parley, and ſent Two Officers to the Camp to offer to Capitulate; but they were told that no other Terms would be allowed them, than to be made Priſoners of War: However, Liberty was afterwards granted to Two Squadrons of *French* Horſe that were in the Place to march out and retire whither they would; yet on Condition to leave their Horſes behind them: The reſt of the Garriſon being *Spaniards* and *Swiſs* remained Priſoners of War. So that here was an Important Place taken without any Loſs at all, at leaſt very inconſiderable, for the Imperialiſts had not above Five Men killed, and Forty-nine wounded. Prince *Eugene* having before Detached Count *Martigni* to take Poſſeſſion of *Serravelle*, a Paſs into the Territories of *Genoa*, the *French* quitted the Town upon his approach, and retir'd with about Fifty Men into the Caſtle.

While theſe great things were doing, the Fort of *Fuentes*, a ſtrong Poſt on the Lake *di Como*, that gave the Enemy a Communication with the Country of the *Griſons*, was reduced by Major-General *Seldliz*. And about the end of the Month the Caſtle of *Aſti* ſurrendred to a Body of Forces drawn together in *Piedmont*, the Garriſon conſiſting of 430 Soldiers and 40 Officers, being made Priſoners of War, and 71 Pieces of Cannon were found in the Place. The Caſtle of *Serravalle* likewiſe ſurrender'd to Monſieur *Martigni*.

The Caſtle of *Tortona* alſo, which we left block'd up after the ſurrender of the Town, was in the beginning of this Month taken by Storm in this Manner; the *Imperialiſts* having 6 or 7 Days batter'd it with 12 Cannons and 3 Mortars, feign'd at laſt to abandon the Siege, and actually drew off moſt of their Troops towards *Rivalta* on the other Side of the *Scrivia*, but in the Night return'd, and made

made a ſudden Aſſault on the Breach with that Succeſs (the Enemy being all in Confuſion) that with little Loſs they carried the Place Sword in Hand. The Garriſon conſiſting of Six Companies of *French* Foot, were every Man put to the Sword, as were alſo the Governour Don *Ramirez*, and Don *Antonio Capra*, tho' they offered great Sums of Money for their Lives. The Imperialiſts found therein a great Booty, ſeveral Gentlemen, and others in the Intereſts of *France*, having put their beſt Effects into that Fortreſs; the Garriſon conſiſted of 200 Men: Mean time Prince *Eugene* having aſſembled all his Forces, except thoſe left with the Duke of *Savoy*, paſs'd the *Adda*, and marched toward the *Oglio*, to ſecure all the Poſts along that River, in order to cut off the Communication between the *French* in the *Mantuan*, and the Garriſon of *Cremona*, while *Bozolo*, St. *Martino*, and other Poſts ſubmitted to that Princes Detachments; and the *French* of themſelves abandon'd *Guaſtalla*, *Borgoforte*, *Pozzolo*, *Concordia*, and *Caſtiglione*; by which the Garriſon of *Cremona* was more and more ſtreighten'd, and their Communication with the *Mantuan* entirely cut off. When Prince *Eugene*, having view'd the ſeveral Poſts along the *Adda* and the *Oglio*, he returned to *Milan*, to Regulate with that Dutchy the Supplies they were to furniſh toward carrying on the War, leaving his Forces under the Command of the Prince of *Heſſe*.

On the other Hand, the Duke of *Savoy* having made the neceſſary Diſpoſitions for the Beſieging *Cazal*, and ordered Artillery for that Purpoſe to be ſent to him thither from *Turin*, appeared before it on the 16th of *November*, and ſummoning the Town and Caſtle to ſurrender, the Town ſubmitted, on Condition that the Caſtle ſhould not be attacked from the Town, and that 800 *French* who were in the Town ſhould have the ſame Capitulation as the Garriſon of the Caſtle when reduced. The bad Weather prolonged the Attack of the Caſtle; but

at length it was taken on the 6th of *December*, after the Trenches had been open'd before it 12 Days. The Governour having caus'd a Parley to be beat, and demanding to march out with his Garriſon, Arms, Baggage, and Six Cannon, the Duke of *Savoy* return'd Anſwer that he was to expect no Capitulation, but to yield himſelf and Garriſon Priſoners of War: The Governour refuſing to ſubmit to that, his Royal Highneſs gave Order for continuing to batter the Place, and ſignified to him, that he would make an Aſſault next Morning, and put all to the Sword, upon which the Governour yeilded on the Terms preſcrib'd him. The Garriſon conſiſted of 1886 Men, of which 65 were Officers: His Royal Highneſs found 76 Pieces of Cannon in the Place, 70000 Weight of Powder, 28000 Grenadoes and a great Quantity of other Ammunition and Proviſion.

In the mean time the *Imperialiſts* continued the Siege of the Caſtle of *Modena*, and kept *Valenza* and *Mirandola* cloſe block'd up, ſtreightening at the ſame time both *Cremona* and *Mantua*. And Prince *Eugene* having given the neceſſary Orders for the Siege of the Caſtle of *Milan*, went to *Turin* to confer with the Duke of *Savoy*; where his Royal Highneſs, having been hinder'd by the bad Seaſon from Beſieging *Valenza*, was retir'd ſome time before.

The Obſtinacy of the Governour of the Caſtle of *Milan* made it abſolutely neceſſary to undertake that Siege, though the Weather was not ſo very favourable for ſuch an Attempt as cou'd be wiſh'd: Beſides, what other Reaſons might move in the ſpeedy Reduction of that Place, the Garriſon began to be more and more troubleſome to the City, and by Firing ſome Artificial Bombs into it, let them know, that they expected the Magiſtrates ſhou'd renew the Supplies of Proviſions they had granted the Garriſon of the Caſtle upon a former Ceſſation; of which Prince *Eugene* (who was then return'd from *Turin*) being made acquainted, he let the

the Governour underſtand that he was to Treat with him, and that if he Fired, or did the City any Damage, he muſt expect no Quarter for his Garriſon. This the Governour ſtubbornly refus'd at firſt; but at length thought better of it, and conſented to Treat with the Prince in that Matter; which Treaty had no Effect, for Prince *Eugene* abſolutely refuſed to grant the Governour any Contributions, it not being uſual to ſupply with Proviſions a Caſtle that is block'd up, and endeavours to ruin the City: The Governour anſwered, That in caſe his Requeſt was not immediately granted, he would take his Meaſures accordingly, and ſpare no Body. Hereupon both Parties began to Fire againſt each other with their Muskets, and the Caſtle Cannonaded the City with great Fury, though without doing any other Damage, than the killing a Perſon of Quality in the Place of the Dome. The *Imperialiſts* on the other hand continued their Preparations for Attacking the Caſtle, and in order to that erected Four Batteries, with which they began to Fire as Vigorouſly on the Caſtle, the Siege of which was carried on very briskly; but before we come to ſpeak of the ſurrender of it, it will be by a Means not foreſeen at this time, therefore I ſhall forbear to ſpeak any more of the Affairs of *Italy*, till we come to put a ſurprizing Period to all at once; only I ſhall take leave to obſerve, that the *Imperialiſts* had batter'd the Caſtle of *Modena* with ſo much Succeſs, that the Governour thought it was time for him to Capitulate; and intimated that he would Surrender it to the Duke of *Modena*, to whom it belong'd. That Prince being informed thereof, ſet out from *Bologna*, and being arrived at *Modena*, the *Sieur de la Barre* ſent by a Drummer the Articles of Capitulation, which being the ſame that were granted to the Duke's Forces when the *French* took poſſeſſion of that Caſtle, they were approved by his Highneſs: It is now time to return to *England*, where we ſhall find a Tumult of Buſineſs waiting, but Firſt, as we have reci-

recited the Hiſtory of this Glorious Campaign, let us ſee beſide the Succeſſes what other Effect it had upon the Enemy.

The States of *Holland* having about the middle of *November* deſir'd the Miniſters of the High Allies to be preſent at an Extraordinary Congreſs, acquainted them, That *France* had formerly, by ſome Private Perſons, made great Intimations of their Willingneſs to treat of Peace, and that laſt Winter the Marquiſs *d' Alegre* had preſented them a formal Memorial on the ſame Subject, the Subſtance of which was read to the Congreſs: That they had given no Ear to theſe Overtures, nor communicated them to the Allies, becauſe they did not judge them worth Imparting to them; but that in *October* paſt, the Elector of *Bavaria* had written a Letter to the Duke of *Marlborough*, and another to the Field-Deputies of the States; which Two Letters were Read, and Imported, That the King of *France*, *Grieving to ſee ſo much Chriſtian Blood ſhed, had directed him (the ſaid Elector of* Bavaria) *to intimate that he was inclin'd to Peace; that he had before made ſome underhand Offers, but that the ſame being miſinterpreted, as tho' he had a Deſign to ſow Diſcord and Diſunite the* Allies, *or to invegle ſome of them, he was willing, to ſhew his ſincere Deſire of the Repoſe of* Europe, *to treat with all the Allies together: And that if the Duke of* Marlborough *wou'd appoint a Place between* Bruſſels *and* Mons *to meet and diſcourſe him, he (the Elector) would make a reaſonable Overture to him.* After theſe Letters were read, the Anſwers that had been return'd to them were alſo communicated to the Congreſs; and then a Diſcourſe was made on the Part of the States, importing, 'That they had 'all the Inclination in the World to Peace, but yet 'for ſuch a one as might be ſolid and laſting; 'that no Particulars being offered, the General 'Propoſal of *France* was not agreeable to the Com-'mon Cauſe: That the War was begun only for 'obtaining ſuch a Peace; nor had it been begun at all,

'had

'had there been any poſſibility of avoiding it; but 'that ſince it was undertaken, it ſhou'd be pur-'ſued with Vigour, till ſuch a Peace was gain'd as 'might make *Europe* ſafe and eaſie; that ſuch 'private Interviews as were deſired had been 'found ſo prejudicial in the laſt War, that they 'were reſolved never to fall again into the like 'Inconvenience; and that in concluſion they 'would have no Peace, but jointly with all the 'Allies, and on ſuch Terms as every one might 'find their Satisfaction, and full Security in. The Chief Miniſter of the States, and the Duke of *Marlborough*, ſpoke Worthily and Prudently on this Occaſion, and both concluded *for continuing the War*. They alſo deſired the Miniſters to write to their Principals to exhort them to exert their beſt Efforts for carrying on the War effectually, and to take Example by *England* and *Holland*, who were reſolv'd to make a moſt Vigorous Campaign.

The Aſſembly was exceedingly pleas'd and ſatisfied with the Sincere, Obliging, and Honeſt Communication of the aforeſaid Promiſes.

This Stedfaſt and Reſolute Anſwer gave no ſmall Shock to the Court of *France*, who flattered themſelves that the Allies would greedily have Embraced their Propoſal, and enter'd into Conference. They had before received the Anſwers of the Elector of *Bavaria*'s Letters to the Duke of *Marlborough*, and the States Deputies; but hoped in the mean time, thro' the Interpoſition of ſome Neutral Powers, to ſmooth the Allies into a Negotiation, but found themſelves greatly miſtaken.

The Letter from the ſaid Elector to the Duke is as follows.

SIR,

THE *Moſt Chriſtian King, finding that ſome Overtures of Peace which he had caus'd to be made by private Ways, inſtead of producing the Effect of making known*

known his Diſpoſitions for promoting a general Peace, had been look'd upon by ill-deſigning Perſons as an Artifice to Diſunite the Allies, and make an Advantage of the Miſunderſtanding that might be created among them, has reſolved to ſhew the Sincerity of his Intentions, by laying aſide all ſecret Negotiations, and openly propoſing Conferences, in which Means may be found for reſtoring the Tranquility of Europe.

The moſt Chriſtian King is pleas'd to Commiſſion me to inform you of this, and I deſire you to acquaint the Queen of England with it.

I give the like Notification on the Part of the Moſt Chriſtian King to the States-General, by a Letter I have written to their Field-Deputies; and the Moſt Chriſtian King would do the like with Regard to the other Potentates that are at War with him, had they Miniſters ſo near at hand as you are to receive the like Intimation, he having no Deſign to exclude any of the Potentates from the Negotiation that ſhall be begun in the Conferences he propoſes.

Farther, for advancing a Good ſo great and neceſſary to Europe, which has too long ſuffered the inevitable Calamities of War, he conſents that a Place may forthwith be pitched upon between the Two Armies after their Separation between Mons and Bruſſels, in which, You, Sir, with whom the Intereſt of England is ſo ſafely intruſted, the Deputies the States will pleaſe to nominate, and the Perſons whom the King of France ſhall impower, may open their Intentions upon ſo Important an Affair.

I am extreamly pleas'd, Sir, to have ſuch an Occaſion to write this Letter, being perſwaded it will leave no Room for doubting the Sentiments of his Moſt Chriſtian Majeſty, which may be ſo beneficial to all Europe.

It will be a Pleaſure to you to give an Account of this to the Queen of England without Loſs of Time, and to whomſoever elſe you ſhall think fit: I ſhall expect your Anſwer, Sir, to communicate it to the Moſt Chriſtian King, and ſhall be always ready to do you Service.

Mons Oct. 21. 1706. Sign'd M. Emanuel, Elector.

The

The Answer of the Prince and Duke of *Marlborough* to the Elector of *Bavaria*.

SIR,

HAving communicated to the Queen my Mistress what your Electoral Highness did me the Honour to write to me in your Letter of the 21st of the last Month, of the Intentions of the most Christian King to endeavour to restore the Tranquility of Europe, *by Conferences to be held for that Purpose between Deputies on both Sides, Her Majesty has commanded me to answer your Electoral Highness, That 'tis a Pleasure to Her to be inform'd of the King's Inclination to agree to the making of a solid and lasting Peace with all the Allies, as being the Sole End that obliged Her Majesty to continue this War till this Time, She will be very glad to conclude it in concert with all her* Allies, *on Conditions that may secure them from all Apprehensions of being forc'd to take up Arms again after a short Interval, as happened last Time. Her Majesty is also willing I should declare that She is ready to enter jointly with all the High* Allies *into Just and necessary Measures for settling such a Peace; Her Majesty being resolved not to enter upon any Negotiation without the Participation of Her said Allies; but the Way of Conferences that is propos'd, without more particular Declarations on the Part of his most Christian Majesty, does not seem proper to Her for attaining a truly solid and lasting Peace. Their Lordships, the States-General are of the same Opinion. Wherefore your Electoral Highness will rightly judge that 'tis necessary to think of other more solid Means to attain so great an End, to which Her Majesty will contribute with all the Sincerity that can be wished, having nothing so much at Heart* as the Relief of her Subjects, *and the* Tranquility of Europe. *Your Electoral Highness will always do me Justice to be perswaded of the respect with which I have the Honour to be,* &c.

Hague, *Nov.* 20. 1706.

That

That to the States Deputies and the Anſwer were much the ſame, therefore we ſhall here omit it, and now go Home to *England*; where we muſt look a little back, and remember, that Her Majeſty having been impower'd laſt Year by the Parliaments of *England* and *Scotland* to appoint Commiſſioners to treat of a nearer Union between the Two Kingdoms, did accordingly on the 10th of *April* 1706 appoint the ſaid Commiſſioners to treat of that Important Affair. On this Solemn Occaſion; they met the Firſt time at the Council-Chamber in the *Cock-pit* on the 16th of *April* following, where were preſent for *Scotland*, the Earl of *Seafield*, Lord Chancellor, Duke of *Queensbury*, Earl of *Marr*, Earl of *Loudon*, Earl of *Sutherland*, Earl of *Wemyſs*, Earl of *Leven*, Lord *Archibald Campbel*, Lord Viſcount *Duplin*, Lord *Roſs*, Lord Preſident of *Seſſion*, Lord Juſtice *Clerk*, Mr. *Francis Montgomery*, Sir Sir *Alex*, *Ogilvie*, Sir *Patrick Johnſton*, Sir *James Smollet*, *George Lockhart* of *Carnwath*, *William Seton* of *Pitmedden*, *John Clark*, *Daniel Stewart*, *Daniel Campbell*.

Thoſe for *England* were the Lord Keeper, Lord High-Treaſurer, Lord Preſident, Lord Privy-Seal, Duke of *Somerſet*, Duke of *Bolton*, Earl of *Sunderland*, Earl of *Kingſton*, Earl of *Orford*, Lord Viſcount *Townſend*, Lord *Wharton*, Lord *Grey*, Lord *Powlet*, Lord *Sommers*, Marquiſs of *Hartington*, Sir *Charles Hedges*, Mr. *Harley*, Secretaries of State, Mr, *Boyle*, Lord Chief-Juſtice *Holt*, Lord Chief-Juſtice *Trevor*, Mr. Attorney-General, Mr. Sollicitor-General, Sir *John Cook*, Doctor *Waller*.

After the Lords Commiſſioners for both Kingdoms had taken their Places, the Commiſſions were open'd, and read by the reſpective Secretaries, and then the Lord-Keeper of the Great Seal of *England* addreſſing himſelf to the Lords Commiſſioners for *Scotland*, ſpoke in theſe Words.

My

My Lords,

'WE the Commiſſioners appointed by Her Majeſty, and Authorized by the Parliament of *England*, to conſult and treat with your Lordſhips, as Impower'd in like manner by Her Majeſty and the Parliament of *Scotland*, concerning an Union of the Two Kingdoms, and ſuch other things as we the Commiſſioners on both Parts ſhall think convenient and neceſſary for the Honour of Her Majeſty, and the Common Good of both Kingdoms, do apprehend there never was (in any Aſſembly of this Nature) ſo little Occaſion as at preſent, for the Commiſſioners of *England*, to to give Verbal Aſſurances of their Zeal to Promote and Compleat (ſo far as in their Power) the great and good Deſign we are met about, ſince it cannot be doubted but that we bring along with us the ſame Sentiments, which ſo lately appear'd in the Parliament of *England*, when they took Care to manifeſt, by a Solemn Act, that they did poſtpone all other Conſiderations to their evidencing a good and friendly Diſpoſition towards the Kingdom of *Scotland*.

'The Parliament of *England*, in making that unexpected Advance, ſeem'd reſolved, if poſſible to attain that Union, which hath been ſo long thought Neceſſary, by all that wiſh well to the Proſperity of both Nations.

'And we moſt ſincerely aſſure your Lordſhips that we accordingly meet your Lordſhips, with Hearts fully reſolved to uſe our utmoſt Endeavour to remove all Difficulties in this Treaty, to prevent all Miſunderſtandings, to cheriſh and improve the good Diſpoſitions to one another to have the general and joint Good of both Kingdoms ſolely in our View, and not the ſeparate of either, but to act as if we were already united in Intereſt, and had nothing left to conſider but what Settlements and Proviſions are moſt likely to conduce to the Common Safety

and

' and Happineſs of this whole Iſland of *Great-*
' *Britain.*

' Which Meaſures, if purſued on both Parts ' we hope may enable us to prepare ſuch Terms ' of Union as may prove Satisfactory to ' Her Majeſty, and the Parliaments of both King-' doms.

The Lord-Keeper *Cowper* having thus done, the Earl of *Seafield*, Lord High-Chancellor of *Scotland*, on the Part of the Lords Commiſſioners for that Kingdom, ſpoke as followeth.

My Lords,

' THE Lords Commiſſioners for *Scotland* ' have deſired me to aſſure your Lordſhips ' that they meet you on this Occaſion with great ' Willingneſs and Satisfaction, to treat of an Uni-' on between the Two Kingdoms, and of ſuch o-' ther Matters and Concerns as may be for Her Ma-' jeſty's Honour, and maintaining a good Under-' ſtanding between the Two Nations.

' We are convinc'd that an Union will be of ' great Advantage to both, the Proteſtant Religion ' will be thereby the more firmly ſecured, the De-' ſigns of our Enemies effectually diſappointed, and ' the Riches and Trade of the whole Iſland Ad-' vanced.

' This Union has been often Endeavoured, both ' before and ſince the Kingdoms were united in ' Allegiance under One Sovereign; and ſeveral ' Treaties have been ſet on Foot for that End, tho' ' without the deſired Succeſs; but now we are hope-' ful that this ſhall be the happy Opportunity of ' Accompliſhing it; Her Majeſty hath frequently ' ſignified Her good Inclinations toward it; and we ' are the more encouraged to expect Succeſs in this ' Treaty, by the Good Diſpoſition appeared in the ' Parliament of *Scotland* for it, and by the Friend-' ly Proceedings in the laſt Seſſion of the Par-

' liament

liament of *England*, which gave general Satisfaction. 1706.

'We have great Confidence in your Lordſhip's good Intentions, and we ſhall be ready on our Parts to enter into ſuch Meaſures with you as may bring the Treaty to ſuch a Concluſion as may be acceptable to Her Majeſty, and to the Parliaments of both Kingdoms.

Having ſpoke thus on both Sides with much Calmneſs, and the Commiſſioners having ordered, that Copies of the Two Commiſſions ſhould be prepared and ſign'd by the reſpective Secretaries, and interchang'd againſt the next Meeting, they Adjourn'd to *Monday* the 22d at 6 a Clock in the Evening, and being then met, the Lord-Keeper, in the Name of the Lords Commiſſioners for *England*, delivered to the Board Articles of Preliminaries, which were read as followeth.

I. That all Propoſals made by either Side be made in Writing, and every Point agreed on ſhall be reduced into Writing.

II, That no Point, tho' agreed on, and reduc'd into Writing, ſhall be obligatory on either Side, till all Matters be adjuſted in ſuch manner as will be proper to be laid before the Queen and the Two Parliaments for their Approbation.

II. That there be a Committee appointed conſiſting of a certain Number of each Commiſſion to Reviſe the Minutes of what paſſes, which are not to be inſerted by the Secretaries in their reſpective Books, but by the Order of the ſaid Committee, having firſt made Report thereof to the reſpective Commiſſioners, and received their Approbation of the ſame.

IV. That all the Proceedings of the Commiſſioners of both Kingdoms, during the Treaty, be kept ſecret.

The Lord Keeper alſo delivered to the Board the following Propoſal, which was Read, *viz.* ‘ That ‘ the Two Kingdoms of *England* and *Scotland* be ‘ for ever united into One Kingdom by the Name ‘ of *Great-Britain*; that the United Kingdom of ‘ *Great Britain* be repreſented by one and the ‘ ſame Parliament, and the Succeſſion to the ‘ Monarchy of the united Kingdom of *Great Bri-* ‘ *tain*, in caſe of Failure of Heirs of Her Majeſty's ‘ Body, be according to the Limitations men- ‘ tioned in an Act of Parliament, made in ‘ *England* in the 12th and 13th Year of the ‘ Reign of the late King *William*, Intituled, *An* ‘ *Act for the further Limitation of the Crown, and* ‘ *the better Securing the Rights and Liberties of the* ‘ *Subjects*.

Having proceeded no farther this Day, but adjourn'd to *Wedneſday* the 24th, they then met, and the Lord Chancellor of *Scotland* acquainted the Board, ‘ That the Lords Commiſ- ‘ ſioners for that Kingdom did agree to the Pre- ‘ liminary Articles propoſed by the Lords Com- ‘ miſſioners for *England* at the laſt Meeting, for ‘ regulating the Methods of Proceedings in that ‘ Treaty. The following Propoſals were alſo de- ‘ livered to the Board by the Lord Chancellor of *Scotland*, and were read.

I. That the Succeſſion to the Crown of *Scot-* *land* in caſe of Failure of Heirs of Her Majeſty's Body, ſhall be eſtabliſhed upon the ſame Perſons mentioned in an Act of Parliament made in *England* in the 12th and 13th Year of the Reign of the late King *William*, Intituled, *An Act for the further Limitation of the Crown, and the better Securing of the Rights and Liberties of the Subjects.*

II. That the Subjects of *Scotland* ſhall for ever enjoy all Right and Priviledges as Natives of *Eng-* *land* in *England*, and the Dominions thereunto belonging, and Reciprocally, that the Subjects of *Eng-*

England ſhall enjoy the like Rights and Priviledges in *Scotland*.

III. That there be a free Communication and Intercourſe of Trade and Navigation between the Two Kingdoms and Plantations thereunto belonging, under ſuch Regulations as in the Progreſs of this Treaty ſhould be found moſt for the Advantage of both Kingdoms.

IV. That all Laws and Statutes in either Kingdom contrary to the Terms of this Union be repealed.

The Lords Commiſſioners for *England* hereupon withdrew, and being return'd, the Lord Keeper, in their Lordſhips Names delivered to the Board the following Anſwer, which was read, 'That the Lords Commiſſioners for *England* were 'ſo fully convinced, that nothing but an entire 'Union of theſe Two Kingdoms would ſettle per-'fect and laſting Friendſhip between them, that 'they therefore thought fit to decline entering in-'to any further Conſideration of the Propoſals 'now made by the Lords Commiſſioners for *Scot-'land*, as not tending to that End, and deſired that 'the Lords Commiſſioners for *Scotland* would be 'pleaſed to give in their Anſwer to the Propo-'ſal delivered on *Monday* the 22d by the Lords 'Commiſſioners for *England*, in order to an entire 'Union of both Kingdoms.

It being fit the Commiſſioners for *Scotland* ſhould a little conſider this weighty Affair, both Sides adjourn'd till next Day; at what time the Lord Chancellor of *Scotland* delivered to the Board an Anſwer to the Propoſal made on the 22d by the Lords Commiſſioners for *England*, importing, 'That the Lords Commiſſioners for *Scotland* ha-'ving conſidered the Propoſal given in to them by 'the Lords Commiſſioners for *England*, on that 'Day did agree, that the Two Kingdoms of '*Scotland* and *England* ſhould be for ever United 'into One Kingdom, by the Name of *GREAT*

'BRITAIN: That the United Kingdom of 'GREAT BRITAIN be Repreſented by 'one and the ſame Parliament; and that the Succeſſion to the Monarchy of the Kingdom of *Great Britain*, (in caſe of Failure of Heirs of Her Majeſty's Body) ſhould Deſcend upon the Moſt Excellent Princeſs *Sophia*, Electoreſs and Dutcheſs Dowager of *Hanover*, and remain to Her and the Heirs of Her Body, being Proteſtants, to whom the Succeſſion of the Crown of *England* was Provided, by an Act made in the 12th and 13th Year of the Reign of the late King *William*, Intituled, *An Act for the further Limitation of the Crown, and better Securing the Rights and Liberties of the Subjects, and Excluding all Papiſts, and who ſhall Marry Papiſts, in the Terms of the ſaid Act*; with this Proviſion, that all the Subjects of the United Kingdom of *Great Britain* ſhould have Freedom and Intercourſe of Trade and Navigation to and from any Part or Place within the ſaid United Kingdom, and Plantations thereunto belonging; and that there ſhould be a Communication of all other Priviledges and Advantages which did or might belong to the Subjects of either Kingdom.

Hereupon the Lords Commiſſioners for *England* withdrew; and being return'd, the Lord Keeper in the Name of the reſt deliver'd to the Broad the following Reply, 'That the Lords Commiſſioners for *England* were of Opinion that the Proviſion added by the Lords Commiſſions for *Scotland*, to the Propoſal made by the Lords Commiſſioners for *England*, upon the 22d Inſtant, was a neceſſary Conſequence of an entire Union; and therefore their Lordſhips did Agree to the ſaid Proviſions, under ſuch Terms as in the furher Progreſs of this Treaty ſhou'd be found to be for the Common Advantage of both Kingdoms.

Having gone thus calmly thro' the principal Points of the Union, they fell to the Regulation of

of Trade and Taxes to be comprehended in the Articles: On the 21st of *May* Her Majesty came to their Meeting, and being seated in her Chair, made the following Speech to the Lords Commissioners on both Sides.

My Lords,

'I Am so much concern'd for the Union of the Two Kingdoms, that I could not satisfie my 'self without coming before I went out of Town 'to see what Progress you had made in the Treaty, 'and to recommend very earnestly to you the bring-'ing it to a happy Conclusion with as much 'dispatch as the Nature of it will admit, not 'doubting of the general Satisfaction which my 'Subjects of both Kingdoms will receive in find-'ing you overcome all Difficulties to attain so great 'and publick a Good.

When her Majesty had done speaking, the Lord Keeper desir'd to know of Her if She would be pleas'd to hear the Proposals made on either Side, and the Resolutions hitherto taken thereupon, read by the respective Secretaries; which Her Majesty accepted, and seem'd to return very well pleas'd with what had been done: Nothing being likely to obstruct the Harmony and good Understanding between the Lords Commissioners, who had met with Hearts sincerely dispos'd to accommodate this great Work, and having accordingly proceeded by calm and gentle Steps thro' the greatest Matters of debate, the Articles were concluded the 22d of *July*, and the Treaty sign'd on both Sides. The next Day the Commissioners waited upon the Queen at St. *James*'s, and deliver'd to her Majesty Three Copies of the Treaty, which they had sign'd they Day before. Upon which Occasion the the Lord Keeper of the Great Seal of *England*, and the Lord Chancellor of *Scotland*, made each a short Speech to her Majesty, who thank'd them for their Unanimity and Dispatch in an Affair of

ſo great Concern and Advantage to the Two Nations; and told them, ſhe would communicate the Treaty to the Two Parliaments, not doubting but they wou'd ſhew an equal Zeal for the good of both Kingdoms. As to the Articles themſelves they were as follows.

I. THAT the Two Kingdoms of *Scotland* and *England* ſhall upon the Firſt Day of *May* next enſuing the Date hereof, and for ever after, be united into One Kingdom by the Name of *GREAT BRITAIN*; and that the Enſigns Armorial of the ſaid united Kingdom be ſuch as Her Majeſty ſhall Appoint, and the Croſſes of St. *Andrew* and St. *George* be conjoined in ſuch manner as Her Majeſty ſhall think fit, and uſed in all Flags, Banners, Standards, and Enſigns, both at Sea and Land.

II. That the Succeſſion to the Monarchy of the united Kingdom of *Great Britain*, and of the Dominions thereunto belonging, after Her moſt Sacred Majeſty, and in default of Iſſue of Her Majeſty, be, remain, and continue to the moſt Excellent Princeſs *SOPHIA*, Electoreſs and Dutcheſs Dowager of *Hanover*, and the Heirs of Her Body, being Proteſtants, upon whom the Crown of *England* is ſettled, by an Act of Parliament made in *England* in the Twelfth Year of the Reign of his late Majeſty King *William* the Third, Entituled, *An Act for the further Limitation of the Crown, and better ſecuring the Right and Liberties of the Subject*: And that all Papiſts, and Perſons marrying Papiſts, ſhall be excluded from, and for ever incapable to inherit, poſſeſs, or enjoy the Imperial Crown of *Great Britain*, and the Dominions thereunto belonging, or any part thereof: And in every ſuch Caſe the Crown and Government ſhall from Time to Time deſcend to, and be enjoyed by ſuch Perſon being a *Proteſtant*, as ſhould have inherited and enjoyed the ſame, in Caſe ſuch Papiſts or Perſon marrying a Papiſt was naturally Dead, ac-

according to the Proviſion for the Deſcent of the Crown of *England*, made by another Act of Parliament in *England* in the Firſt Year of the Reign of their late Majeſties King *William* and Queen *Mary*, Entituled, *An Act Declaring the Rights and Liberties of the Subject, and Settling the Succeſſion of the Crown.*

III. That the united Kingdom of *Great Britain* be repreſented by one and the ſame Parliament, to be Stiled the Parliament of *Great-Britain.*

IV. That all the Subjects of the united Kingdom of *Great Britain* ſhall, from and after the Union, have full Freedom and Intercourſe of Trade and Navigation, to and from any Port or Place within the ſaid united Kingdom, and the Dominions and Plantations thereunto belonging; and that there be a Communication of all other Rights, Priviledges, and Advantages, which do, or may belong to the Subjects of either Kingdom, except where it is otherways expreſly agreed in theſe Articles.

V. That all Ships belonging to Her Majeſties Subjects of *Scotland*, at the Time of Signing this Treaty for the Union of the Two Kingdoms, though Foreign Built, ſhall be deemed, and paſs as Ships of the Built of *Great Britain*, the Owner, or where there are more Owners, one or more of the Owners, within Twelve Months after the Union, making Oath, that at the Time of Signing the ſaid Treaty the ſame did belong to him, or them, or to ſome other Subject or Subjects of *Scotland*, to be particularly Named, with the Places of their reſpective Abodes, and that the ſame doth then belong to him or them, and that no Foreigner directly, or indirectly, hath any Share, Part or Intereſt therein; which Oath ſhall be made before the chief Officer or Officer of the Cuſtoms in the Port next to the Abode of the ſaid Owner or Owners: And the ſaid Officer or Officers ſhall be Impowered to Adminiſter the ſaid Oath; and the Oath being ſo Adminiſtred, ſhall

be Atteſted by the Officer or Officers who Adminiſtred the ſame; and being Regiſter'd by the ſaid Officer or Officers, ſhall be delivered to the Maſter of the Ship for ſecurity of her Navigation, and a Duplicate thereof ſhall be Tranſmitted by the ſaid Officer or Officers, to the chief Officer or Officers of the Cuſtoms in the Port of *Edenburgh*, to be there entred in a Regiſter, and from thence to be ſent to the Port of *London*, to be there entred in the General Regiſter of all Trading Ships belonging to *Great Britain*.

VI. That all Parts of the United Kingdom for ever, from and after the Union, ſhall have the ſame Allowances and Encouragements, and be under the ſame Prohibitions, Reſtrictions, and Regulations of Trade, and liable to the ſame Cuſtoms and Duties on Import and Export: And that the Allowances, Encouragements, Prohibitions, Reſtrictions, and Regulations of Trade, and the Cuſtoms and Duties on Import and Export ſettled in *England*, when the Union commences, ſhall, from and after the Union, take Place throughout the whole United Kingdom.

VII. That all Parts of the United Kingdom be for ever, from and after the Union, liable to the ſame Exciſe upon all Exciſeable Liquors: And that the Exciſe ſettled in *England* on ſuch Liquors, when the Union commences, take Place throughout the whole United Kingdom.

VIII. That from and after the Union all Foreign Salt which ſhall be Imported into *Scotland* ſhall be charged, at the Importation there, with the ſame Duties as the like Salt is now charged with, being Imported into *England*, and to be levied and ſecured in the ſame manner. But *Scotland* ſhall, for the ſpace of Seven Years from the ſaid Union, be exempted from the paying in *Scotland* for Salt made there the Duty or Exciſe now payable for Salt made in *England*; but, from the Expiration of the ſaid Seven Years, ſhall be

be ſubject and liable to the ſame Duties for Salt made in *Scotland*, as ſhall be there payable for Salt made in *England*, to be levied and ſecured in the ſame manner, and with the like Draw-backs and Allowances as in *England*. And during the ſaid Seven Years there ſhall be paid in *England* for all Salt made in *Scotland*, and Imported from thence into *England*, the ſame Duties upon the Importation as ſhall be payable for Salt made in *England*, to be levied and ſecured in the ſame manner as the Duties on Foreign Salt are, to be levied and ſecured in *England*; and that, during the ſaid Seven Years, no Salt whatſoever be brought from *Scotland* to *England* by Land in any manner, under the Penalty of Forfeiting the Salt, and the Cattle and Carriages made uſe of in bringing the ſame, and paying Twenty Shillings for every Buſhel of ſuch Salt, and proportionably for a greater or leſſer Quantity, for which the Carrier, as well as the Owner, ſhall be liable jointly and ſeverally; and the Perſons bringing or carrying the ſame to be Impriſoned by any one Juſtice of the Peace by the ſpace of Six Months without Bail, and until the Penalty be paid; and that, during the ſaid Seven Years, all Salted Fleſh or Fiſh, Exported from *Scotland* to *England*, or made uſe of for Victualing of Ships in *Scotland*, and all Fleſh put on Board in *Scotland*, to be Exported to Parts beyond the Seas, which ſhall be Salted with *Scotch* Salt, or any Mixture therewith, ſhall be Forfeited, and may be ſeized, that, from and after the Union, the Laws and Acts of Parliament in *Scotland*, for Pineing, Curing, and Packing of Herrings, White Fiſh, and Salmon for Exportation, with Foreign Salt only, and for preventing of Frauds in Curing and Packing of Fiſh, be continued in force in *Scotland*, ſubject to ſuch Alterations as ſhall made by the Parliament of *Great Britain*; and that all Fiſh Exported from *Scotland* to Parts beyonds the Seas, which ſhall be Cured with Foreign Salt only, ſhall have the ſame

Eaſes,

Eaſes, Præmiums and Draw-backs, as are, or ſhall be allowed to ſuch Perſons as Export the like Fiſh from *England:* And if any Matters or Fraud relating to the ſaid Duties on Salt ſhall hereafter appear, which are not ſufficiently provided againſt by this Article, the ſame ſhall be ſubject to ſuch further Proviſions as ſhall be thought fit by the Parliament of *Great Britain.*

IX. That whenever the Sum of One Million Nine Hundred Ninety-ſeven Thouſand Seven Hundred and Sixty-three Pounds, Eight Shillings and Four-pence Half-penny ſhall be Enacted by the Parliament of *Great Britain*, to be raiſed in that of the United Kingdom, now called *England*, on Land, and other Things uſually charged in Acts of Parliament there, for granting an Aid to the Crown by a Land-Tax, that part of the United Kingdom, now called *Scotland*, ſhall be charged by the ſame Act with a further Sum of Forty-eight Thouſand Pounds, free of all Charges, as the Quota of *Scotland* to ſuch Tax, and ſo proportionably for any greater or leſſer Sum raiſed in *England*, by any Tax or Land, or other Things uſually charged, together with the Land; and that ſuch Quota for *Scotland* in the Caſes aforeſaid be Raiſed and Collected in the ſame manner as the Ceſs now is in *Scotland*, but ſubject to ſuch Regulations in the manner of Collecting as ſhall be made by the Parliament of *Great Britain.*

X. That during the Continuance of the reſpective Duties on Stamp'd Paper, Vellome and Parchment, by ſeveral Acts now in force in *England*, *Scotland* ſhall not be charged with the ſame reſpective Duties.

XI. That during the Continuance of the Duties payable in *England* on Windows and Lights, which determines on the Firſt Day of *Auguſt* 1710, *Scotland* ſhall not be charged with the ſame Duties.

XII. That during the Continuance of the Duties payable in *England* on Coals, Culm and Cin-

Cinders, which determines the 30th Day of *September* 1710, *Scotland* ſhall not be charged therewith for Coals, Culm and Cinders conſumed there, but ſhall be charged with the ſame Duties as in *England* for all Coal, Culm and Cinders not conſumed in *Scotland*.

XIII. That during the Continuance of the Duty payable in *England* on Malt, which determines the 24th Day of *June* 1707, *Scotland* ſhall not be charged with that Duty.

XIV. That the Kingdom of *Scotland* be not charged with any other Duties laid on by the Parliament of *England* before the Union, except thoſe conſented to in this Treaty, in regard it is agreed, That all neceſſary Proviſion ſhall be made by the Parliament of *Scotland* for the Publick Charge and Service of that Kingdom for the Year 1707. *Provided nevertheleſs*, that if the Parliament of *England* ſhall think fit to lay any further Impoſitions by way of Cuſtoms, or ſuch Exciſes, with which by Vertue of this Treaty *Scotland* is to be charged equally with *England*, in ſuch caſe *Scotland* ſhall be liable to the ſame Cuſtoms and Exciſes, and have an Equivalent to be ſettled by the Parliament of *Great Britain*. And ſeeing it cannot be ſuppos'd that the Parliament of *Great Britain* will ever lay any Sorts of Burthens upon the United Kingdom, but what they ſhall find of neceſſity at that time for the Preſervation and Good of the Whole, and with due regard to the Circumſtances and Abilities of every Part of the United Kingdom, therefore *it is agreed*, that there be no further Exemption inſiſted on for any Part of the United Kingdom, but that the Conſideration of any Exemptions beyond what are already agreed on in this Treaty ſhall be left to the Determination of the Parliament of *Great Britain*.

XV. Whereas by the Terms of this Treaty the Subjects of *Scotland*, for preſerving an equality of Trade throughout the United Kingdom, will be liable to ſeveral Cuſtoms and Exciſes now payable

in

in *England*, which will be applicable towards Payment of the Debts of *England*, contracted before the Union, *It is agreed*, that *Scotland* ſhall have an Equivalent for what the Subjects thereof ſhall be ſo charged towards Payment of the ſaid Debts of *England*, in all Particulars whatſoever, in manner following, *viz.* That before the Union of the ſaid Kingdoms the Sum of Three Hundred Ninety-eight Thouſand and Eighty-five Pound Ten Shillings be granted to Her Majeſty by the Parliament of *England* for the Uſes aftermention'd, being the Equivalent to be anſwered to *Scotland* for ſuch Parts of the ſaid Cuſtoms and Exciſes upon all Exciſeable Liquors, with which that Kindom is to be charged upon the *Union*, as will be applicable to the Payment of the ſaid Debts of *England*, according to the Proportions which the preſent Cuſtoms in *Scotland*, being Thirty Thouſand Pounds *per Annum*, do bear to the Cuſtoms in *England*, computed at One Million Three Hundred and Fifty-nine Pounds *per Annum*; and which the preſent Exciſes on Exciſeable Liquors in *Scotland*, being Thirty-three Thouſand and Five Hundred Pounds *per Annum*, do bear to the Exciſes on Exciſeable Liquors in *England*, computed at Nine Hundred Forty-ſeven Thouſand Six Hundred and Two Pounds *per Annum*; which Sum of Three Hundred Ninety-eight Thouſand Eighty-five Pounds Ten Shillings ſhall be due and payable from the time of the *Union*: And in regard, that after the *Union Scotland* becoming liable to the ſame Cuſtoms and Duties payable on Import and Export, and to the ſame Exciſes on all Exciſeable Liquors as in *England*, as well upon that Account as upon the Account of the Encreaſe of Trade and People, (which will be the Happy Conſequence of the *Union*,) the ſaid Revenues will much improve beyond the before-mention'd Annual Values thereof, of which no preſent Eſtimate can be made; yet nevertheleſs, for the Reaſons aforeſaid, there ought to be a proportionable Equivalent anſwered to *Scotland*; *It is agreed*, That, after the Union, there ſhall be an Account

kept

kept of the ſaid Duties ariſing in *Scotland*, to the end it may appear what ought to be anſwered to *Scotland* as an Equivalent for ſuch Proportion of the ſaid Encreaſe as ſhall be applicable to the Payment of the Debts of *England*. And for the further and more effectual Anſwering the ſeveral Ends hereafter-mention'd, *it is agreed*, That, from and after the Union, the whole Encreaſe of the Revenues, Cuſtoms, and Duties on Import and Export, and Exciſe upon Exciſeable Liquors in *Scotland*, over and above the Annual Produce of the ſaid reſpective Duties, as above ſtated, ſhall go and be apply'd, for the Term of Seven Years, to the Uſes hereafter mention'd; and that, upon the ſaid Account, there ſhall be anſwered to *Scotland* Annually, from the End of Seven Years after the Union, an Equivalent in Proportion to ſuch Part of the ſaid Encreaſe as ſhall be applicable to the Debts of *England*.

And whereas, from the Expiration of Seven Years after the Union, *Scotland* is to be liable to the ſame Duties for Salt made in *England*; *It is agreed*, That when ſuch Duties take place there, an Equivalent ſhall be Anſwered to *Scotland* for ſuch Part thereof as ſhall be apply'd towards Payment of the Debts of *England*; of which Duties an Account ſhall be kept, to the End it may appear what is to be Anſwered to *Scotland* as the ſaid Equivalent. And generally, That an Equivalent ſhall be Anſwered to *Scotland* for ſuch Parts of the *Engliſh* Debts as *Scotland* may hereafter become liable to pay by Reaſon of an Union, other than ſuch for which Appropriations have been made the by Parliament in *England* of the Cuſtoms, or other Duties on Export and Import, Exciſes on all Exciſeable Liquors or Salt, in reſpect of which Debts Equivalents are herein before provided. And as for the Uſes to which the ſaid Sum of Three Hundred Ninety-eight Thouſand Eighty-five Pound Ten Shillings to be granted as aforeſaid, *It is agreed*, That out of the ſaid Sum of Three Hundred Ninety-

Ninety-eight Thouſand Eighty-five Pound Ten Shillings, all the Publick Debts of the Kingdom of *Scotland*, and alſo the Capital Stock, or Fund of the *African* and *Indian* Company of *Scotland* advanc'd, together with the Intereſt for the ſaid Capital Stock, after the Rate of Five Pounds *per Cent. per Annum*, from the reſpective Times of the Payments thereof, ſhall be paid. Upon Payment of which Capital Stock and Intereſt, *It is agreed*, The ſaid Company be diſſolved and ceaſe, and alſo, That from the time of paſſing the Act of Parliament in *England*, for raiſing the ſaid Sum of Three Hundred Ninety-eight Thouſand, Eighty-five Pound Ten Shillings, the ſaid Company ſhall neither Trade, not grant Licenſe to Trade. And as to the Overplus of the ſaid Sum of Three Hundred Ninety-eight Thouſand Eighty-five Pound Ten Shillings after the Payment of the ſaid Debts of the Kingdom of *Scotland*, and the ſaid Capital Stock and Intereſt, and alſo the whole Encreaſe of the ſaid Revenues of Cuſtoms, Duties, and Exciſes, above the preſent Value which ſhall ariſe in *Scotland*, during the ſaid Term of Seven Years, together with the Equivalent which ſhall become due upon Account of the Improvement thereof in *Scotland* after the ſaid Term: And alſo, as to all other Sums, which according to the Agreements aforeſaid may become payable to *Scotland* by Way of Equivalent, for what that Kingdom ſhall hereafter become liable towards Payments of the Debts of *England*, *It is agreed* that the ſame may be applied in manner following, *viz.* That out of the ſame, what Conſideration ſhall be found neceſſary to be had for any Loſſes which Private Perſons may ſuſtain, by reducing the Coin of *England*, may be made good; and afterwards the ſame ſhall be wholly applied towards Encouraging and Promoting the Fiſheries, and ſuch other Manufactories and Improvements in *Scotland* as may moſt conduce to the general Good of the United Kingdom. *And it is agreed*, That Her Majeſty be Impower'd

power'd to appoint Commiſſioners, who ſhall be accountable to the Parliament of *Great Britain* for diſpoſing the ſaid Sum of Three Hundred Ninety-eight Thouſand Eighty-five Pounds Ten Shillings, and all other Money which ſhall ariſe to *Scotland* upon the agreement aforeſaid, to the Purpoſes before-mentioned; which Commiſſioners ſhall be Impowered to call for, receive, and diſpoſe of the ſaid Money in manner aforeſaid, and to inſpect the Books of the ſeveral Collectors of the ſaid Revenues, and of all other Duties, from whence an Equivalent may ariſe: And that the Collectors and Managers of the ſaid Revenues and Duties be obliged to give to the ſaid Commiſſioners ſubſcrib'd Authentick Abbreviates of the Produce of ſuch Revenues and Duties ariſing in their reſpective Diſtricts: And that the ſaid Commiſſioners ſhall have their Office within the Limits of *Scotland*, and ſhall, in ſuch Office, keep Books containing Accounts of the Amount of the Equivalents, and how the ſame ſhall have been diſpos'd of from Time to Time, which may be inſpected by any of the Subjects who ſhall deſire the ſame.

XVI. That from and after the Union the Coin ſhall be of the ſame Standard and Value throughout the United Kingdom, as now in *England*, and a Mint ſhall be continued in *Scotland* under the ſame Rules as the Mint in *England*, ſubject to ſuch Regulations as Her Majeſty, Her Heirs or Succeſſors, or the Parliament of *Great Britain*, ſhall think fit.

XVII. That from and after the Union the ſame Weights and Meaſures ſhall be uſed throughout the United Kingdom as are now eſtabliſhed in *England*; and Standards of Weights and Meaſures ſhall be kept by thoſe Burroughs in *Scotland*, to whom the keeping the Standards of Weights and Meaſures, now in uſe there, does of ſpecial Right belong. All which Standards ſhall be ſent down to ſuch reſpective Burroughs from the Standards kept

kept in the Exchequer at *Weſtminſter*, ſubject nevertheleſs to ſuch Regulations as the Parliament of *Great Britain* ſhall think fit.

XVIII. That the Laws concerning Regulation of Trade, Cuſtoms, and ſuch Exciſes, to which *Scotland* is, by vertue of this Treaty, to be liable, be the ſame in *Scotland*, from and after the *Union*, as in *England*; and that all other Laws in uſe within the Kingdom of *Scotland*, do, after the *Union*, and notwithſtanding thereof, remain in the ſame Force as before, (except ſuch as are contrary to, or inconſiſtent with the Terms of this Treaty,) but alterable by the *Parliament* of *Great Britain*, with this Difference betwixt the Laws concerning Publick Right, Policy, and Civil Government, and thoſe which concern Private Right, that the Laws which concern the Publick Right, Policy, and Civil Government, may be made the ſame throughout the whole United Kingdom; but that no Alteration be made in Laws which concern Private Right, except for evident Utility of the Subjects within *Scotland*.

XIX. That the Court of Seſſion, or College of Juſtice, do, after the Union, and notwithſtanding thereof, remain in all time coming within *Scotland*, as it is now Conſtituted by the Laws of that Kingdom, and with the ſame Authority and Priviledge as before the Union, ſubject nevertheleſs to ſuch Regulations for the better Adminiſtration of Juſtice, as ſhall be made by the Parliament of *Great Britain*; and that the Court of Juſticiary do alſo, after the *Union*, and notwithſtanding thereof, remain in all time coming within *Scotland*, as it is now conſtituted by the Laws of that Kingdom, and with the ſame Authority and Privileges as before the *Union*, ſubject nevertheleſs to ſuch Regulations as ſhall be made by the Parliament of *Great Britain*, and without Prejudice of other Rights of *Juſticiary*; and that all *Admiralty Juriſdictions* be under the Lord High *Admiral*, or *Commiſſioners* for the *Admiralty* of *Great Britain* for the time being; and

and that the *Court* of *Admiralty* now eſtabliſhed in *Scotland* be continued, and that all Reviews, Reductions, or Suſpenſions, of the Sentences in Maritime Caſes competent to the Juriſdiction of that *Court*, remain in the ſame manner after the *Union*, as now in *Scotland*, until the *Parliament* of *Great Britain* ſhall make ſuch Regulations and Alterations as ſhall be judg'd Expedient for the whole United Kingdom, ſo as there be always continued in *Scotland* a *Court* of *Admiralty*, ſuch as is in *England*, for Determination of all Maritime Caſes relating to Private Rights in *Scotland*, competent to the Juriſdiction of the *Admiralty Court*, ſubject nevertheleſs to ſuch Regulations and Alterations as ſhall be thought proper to be made by the Parliament of *Great Britain*; and that the Heretable Rights of Admiralty and Vice-Admiralties in *Scotland* be reſerved to the Reſpective Proprietors as Rights of Property, ſubject nevertheleſs, as to the manner of Exerciſing ſuch Heretable Rights, to ſuch Regulations and Alterations as ſhall be thought proper to be made by the Parliament of *Great Britain*; and that all other Courts now being within the Kingdom of *Scotland* do remain, but ſubject to Alterations by the Parliament of *Great Britain*; and that all Inferior Courts within the ſaid Limits do remain Subordinate, as they are now, to the Supream Courts of Juſtice within the ſame in all time coming; and that no Cauſes in *Scotland* be Cognoſcable by the Courts of *Chancery*, *Queen's-Bench*, *Common Pleas*, or any other Court in *Weſtminſter-Hall*; and that the ſaid Courts, or any other of the like Nature, after the *Union*, ſhall have no Power to Cognoſce, Review, or Alter the Acts or Sentences of the Judicatures within *Scotland*, or ſtop the Execution of the ſame; and that there be a Court of *Exchequer* in *Scotland* after the *Union*, for Deciding Queſtions concerning the Revenues of Cuſtoms and Exciſes there, having the ſame Power and Authority in ſuch Caſes, as the Court of *Exchequer* has in *England*; and the ſaid Court of 1706.

Exchequer in *Scotland* have Power of passing Signatures, Gifts, Tutories, and in other Things, as the Court of *Exchequer* at present in *Scotland* hath; and that the Court of *Exchequer* that now is in *Scotland* do remain, until a new Court of *Exchequer* be settled by the *Parliament* of *Great Britain* in *Scotland* after the *Union*; and that, after the *Union*, the Queen's Majesty, and Her Royal Successors, may continue a Privy-Council in *Scotland*, for preserving of Publick Peace and Order, until the *Parliament* of *Great Britain* shall think fit to alter it, or establish any other Effectual Method for that End.

XX. That all Heretable Offices, Heretable Jurisdictions, Offices for Life, and Jurisdictions for Life, be reserved to the Owners thereof, as Rights of Property, in the same manner as they are now enjoy'd by the Laws of *Scotland*, notwithstanding of this Treaty.

XXI. That the Rights and Priviledges of the *Royal Burroughs* in *Scotland* as they now are, do remain entire after the *Union*, and notwithstanding thereof.

XXII. That by Vertue of this Treaty of the Peers of *Scotland* at the time of the *Union*, Sixteen shall be the Number to Sit and Vote in the House of *Lords*, and Forty-five the Number of the Representatives of *Scotland* in the House of *Commons* of the Parliament of *Great Britain*; and that when Her Majesty, Her Heirs or Successors, shall declare Her or Their Pleasure, for holding the first, or any subsequent Parliament of *Great-Britain*, until the *Parliament* of *Great Britain* shall make further Provision therein, a Writ to issue under the Great Seal of the United Kingdom, directed to the Privy-Council of *Scotland*, commanding them to cause Sixteen Peers, who are to sit in the House of *Lords*, to be summon'd to *Parliament*, and Forty-five Members to be elected to sit in the House of *Commons* of the *Parliament* of *Great Britain*, according to the Agreement in this Treaty, in such manner as by the

the Parliament of *Scotland* ſhall be ſettled before the *Union:* And that the Names of the Perſons ſo ſummon'd and elected ſhall be returned by the Privy-Council of *Scotland*, into the Court from whence the ſaid Writ did Iſſue. And that if Her Majeſty, on or before the First Day of *May* next, on which Day the *Union* is to take Place, ſhall declare under the Great Seal of *England*, that it is Expedient that the Lords of the Parliament of *England*, and Commons of the preſent Parliament of *England*, ſhould be the Members of the reſpective Houſes of the Firſt *Parliament* of *Great Britain*, for and on the Part of *England*, then the ſaid Lords of Parliament of *England*, and Commons of the preſent Parliament of *England*, ſhall be the Members of the reſpective Houſes of the Firſt Parliament of *Great Britain*, for and on the Part of *England*. And Her Majeſty may by Her Royal Proclamation, under the Great-Seal of *Great Britain*, appoint the ſaid Firſt Parliament of *Great Britain* to meet at ſuch Time and Place as Her Majeſty ſhall think fit, which Time ſhall not be leſs than Fifty Days after the Date of ſuch Proclamation, and the Time and Place of the Meeting of ſuch Parliament being ſo appointed, a Writ ſhall be immediately iſſued under the Great Seal of *Great-Britain*, directed to the Privy-Council of *Scotland*, for the ſummoning the 16 Peers, and for electing 45 Members, by whom *Scotland* is to be repreſented in the Parliament of *Great Britain:* And the Lords of Parliament of *England*, and the 16 Peers of *Scotland*, ſuch 16 Peers being ſummon'd and return'd in the manner agreed in this Treaty, ſhall aſſemble and meet reſpectively in their reſpective Houſes of the Parliament of *Great Britain*, at ſuch Time and Place as ſhall be ſo appointed by Her Majeſty, and ſhall be the Two Houſes of the Firſt Parliament of *Great Britain*, and that Parliament may continue for ſuch time only, as the preſent Parliament of *England* might have continued if the *Union* of the Two Kingdoms had not been made, unleſs ſooner diſſolved by Her

Majeſty ; and that every one of the Lords of Parliament of *Great Britain*, and every Member of the Houſe of Commons of the Parliament of *Great Britain* in the Firſt, and all ſucceeding Parliaments of *Great Britain*, until the Parliament of *Great Britain* ſhall otherways direct, ſhall take the reſpective Oaths, appointed to be taken inſtead of the Oaths of *Allegiance* and *Supremacy*, by an Act of Parliament made in *England*, in the Firſt Year of the Reign of the late King *William* and Queen *Mary*, Entituled, *An Act for the Abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths*, and make, ſubſcribe, and audibly repeat the Declaration mentioned in an Act of Parliament made in *England*, in the Thirtieth Year of the Reign of King *Charles* the Second, Entituled, *An Act for the more effectual preſerving the King's Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament*, and ſhall take and ſubſcribe the Oath mentioned in an Act of Parliament made in *England*, in the Firſt Year of Her Majeſties Reign, Entituled, *An Act to declare the Alterations in the Oath appointed to be taken by the Act*, Entituled, *An Act for the further Security of His Majeſties Perſon, and the Succeſſion of the Crown of the Proteſtant Line, and for Extinguiſhing the Hopes of the Pretended Prince of* Wales, *and all other Pretenders, and their open and ſecret Abettors*, and for declaring the Aſſociation to be determined at ſuch time, and in ſuch manner, as the Members of both Houſes of Parliament of *England* are, by the ſaid reſpective Acts, directed to take, make, and ſubſcribe the ſame, upon the Penalties and Diſabilities in the ſaid reſpective Acts contain'd. And it is declared and agreed that theſe Words, *This Realm*, *The Crown of this Realm*, and the *Queen of this Realm*, mentioned in the Oaths and Declaration contained in the aforeſaid Acts, which were intended to ſignifie the *Crown* and *Realm* of *England*, ſhall be underſtood of the *Crown* and *Realm* of *Great Britain* ; and that, in that ſenſe, the ſaid *Oaths* and

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Declaration be taken and ſubſcribed by the Members of both Houſes of the Parliament of *Great Britain*.

XXIII. That the foreſaid Sixteen Peers of *Scotland*, mentioned in the laſt preceeding Article, to ſit in the Houſe of Lords of the Parliament of *Great Britain* ſhall have all Privileges of Parliament which the Peers of *England* now have, and which they, or any Peers of *Great Britain*, ſhall have after the Union, and particularly the Right of ſitting upon the Trials of Peers: And in caſe of the Trial of any Peer in time of Adjournment or Prorogation of Parliament, the ſaid Sixteen Peers ſhall be Summoned in the ſame manner, and have the ſame Powers and Priviledges at ſuch Trial, as any other Peers of *Great Britain*; and that in caſe any Trials of Peers ſhall hereafter happen where there is no Parliament in being, the Sixteen Peers of *Scotland*, who ſate in the laſt preceeding Parliament, ſhall be ſummon'd in the ſame manner, and have the ſame Powers and Priviledges at ſuch Trials, as any other Peers of *Great Britain*; and that all Peers of *Scotland*, and their Succeſſors to their Honours and Dignities, ſhall, from and after the *Union*, be Peers of *Great Britain*, and have Rank and Precedency next, and immediately after, the Peers of the like Orders and Degrees in *England* at the time of the *Union*, and before all Peers of *Great Britain*, of the like Orders and Degrees, who may be Created after the *Union*, and ſhall be Tried as Peers of *Great Britain*, and ſhall Enjoy all Priviledges of Peers, as fully as the Peers of *England* do now, or as they, or any other Peers of *Great Britain*, may hereafter enjoy the ſame, except the Right and Priviledge of ſitting in the Houſe of Lords, and the Priviledges depending thereon, and particularly the Right of ſitting upon the Trials of Peers.

XXIV. That from and after the *Union* there be One Great Seal for the United Kingdom of *Great Britain*, which ſhall be different from the Great Seal

now us'd in either Kingdom; and that the quartering the Arms as may beſt ſuit the *Union* be left to Her Majeſty: And that in the mean time the Great Seal of *England* be us'd as the Grea Seal of the United Kingdom, and that the Great Seal of the United Kingdom be us'd for Sealing Writs to Elect and Summon the Parliament of *Great Britain*, and for Sealing all Treaties with Foreign Princes and States, and all Publick Acts, Inſtruments and Orders of States, which concern the whole United Kingdom, and in all other Matters relating to *England*, as the Great Seal of *England* is now us'd; and that a Seal in *Scotland* after the *Union* be always kept and made uſe of in all things relating to Private Rights or Grants, which have uſually paſſed the Great Seal of *Scotland*, and which only concern Offices, Grants, Commiſſions, and Private Rights within that Kingdom; and that, until ſuch Seal ſhall be appointed by Her Majeſty, the preſent Great Seal of *Scotland* ſhall be uſed for ſuch Purpoſes; and that the Privy Seal, Signet, Caſſet, Signet of the Juſticiary Court, Quarter-Seal, and Seals of Courts now uſed in *Scotland*, be continued; but that the ſaid Seals be altered and adapted to the State of the Union, as Her Majeſty ſhall think fit; and the ſaid Seals, and all of them, and the Keepers of them, ſhall be ſubject to ſuch Regulations as the Parliament of *Great Britain* ſhall hereafter make.

XXV. That all Laws and Statutes in either Kingdom, ſo far as they are contrary to, or inconſiſtent with the Terms of theſe Articles, or any of them, ſhall, from and after the Union, ceaſe and become void, and ſhall be ſo declared to be, by the reſpective Parliaments of the ſaid Kingdoms.

On the 3d of *October* met the Parliament of *Scotland*, to whom Her Majeſty by Her Gracious Letter recommended the foregoing Articles, but how they were receiv'd there we ſhall ſee anon.

On the 12th of the ſame Month it was mov'd ' that the ſaid Articles of the Union, carried on by ' Com-

'Commiſſioners of both Kingdoms, ſhou'd be read 'as alſo the Minutes of the ſaid Commiſſioners. 'And Ordered all Records, relating to former 'Treaties between both Kingdoms, ſhould be laid 'before the Houſe; and that in the Interval of Par-'liaments they ſhould be ſeen in the Lower Par-'liament, where ſome of the Lord Regiſter's Ser-'vants were to attend. And the *Articles of Union* being accordingly read again, it was agreed, 'That 'the Parliament ſhould proceed to the Conſidera-'tion of them.

On the 15th, when they Debated the Vote of the 12th, to proceed to Conſider the *Articles of the Union*, or Delay, the Country Party argued for a Delay: But being put to the Vote, it was carried Proceed by 64.

On the 16th they read the Firſt VIII *Articles* of the Treaty, and the Proceedings of the Commiſſioners relating to them; and on the 19th the IXth, Xth, XIth, XIIth, XIIIth, and XIVth, were all ſeverally read, with the Proceedings of the Commiſſioners in the Treaty relating to them, and were all diſcours'd on. Then the XVth Article was read, with the Proceedings relating to it; and after ſome Reaſoning there aroſe a Debate about the Calculation of the Sums therein mention'd, which was Adjourned till the next Meeting. The Calculations debated were about the Equivalent of 398085 *l.* 10 *s.* to be granted to *Scotland*, for coming in to ſeveral Cuſtoms, now payable in *England*, and applicable towards Payment of the Debts of *England*, contracted before the Union, according to the Proportions which the preſent Cuſtoms in *Scotland*, being 30000 *l. per Annum*, did bear to the Cuſtoms in *England*, computed at 1351559 *l. per Annum*; and which the preſent Exciſe in *Scotland*, being 33500 *l. per Annum* bears to the Exciſe in *England*, computed at 947602 *l. per Annum*.

On the 22d the Debate about the Calculation of the Equivalent of 398085 *l.* 10 *s.* was reſumed; and after ſome time ſpent upon it, it was Agreed

to Name a Committee of the Three Perſons of each State, to Proceed and Examine the ſaid Calculation, and to report the ſame to the Parliament. Then ſeveral Paragraphs of the XVth Article were read again, and further argued on. The XVIth and XVIIth Articles were alſo read, and with the Proceedings of the Commiſſioners relating to them, were alſo argued upon. So was the XVIIIth Article, and the Proceedings relating to it; and after ſome Diſcourſe upon it, the further Conſideration of this Article was delayed till the next ſitting; the ſame Day ſeveral Members ſpoke to the Equivalent and Trade in general, and to that of the *African* Company in particular: Upon the latter there were Two Motions made, One that the Parliament ſhou'd inſiſt upon a Compenſation of all the Loſſes the *Darien* Company had ſuſtain'd, ſince thoſe Loſſes were occaſion'd by the undue intermeddling of *England*, as appear'd by former Votes of the Parliament of *Scotland*. The Other was, that ſeeing the Equivalent to be given to the Priprietors of the *African* Company was not to be paid by *England*, but out of the *Scots* Cuſtoms and Exciſe, that therefore the Property of that Company ought to belong to the Kingdom of *Scotland*, as a National Company, and not be abandon'd until the Nation ſaw a proper Occaſion, and an adequate Price for it. Both theſe Motions, and ſeveral others of the like Sort, were laid upon the Table, to be conſidered when the Article to which they related were taken into Conſideration.

On the 23d the XVIIIth Article of the Union was again read, when it was mov'd, that the *Engliſh* Laws concerning the Regulation of Trade, *&c.* to which *Scotland*, by Virtue of the Treaty, was liable, be Printed. Mov'd alſo, that the *Engliſh* Book of Rates, with the Abridgment of the Laws relating thereunto, be Printed. Mov'd alſo, that it be remitted to a Committee of Parliament to cauſe ſuch of the ſaid Laws to be Printed as they ſhall ſee Juſt, or to Report to the Parliament.

ment. And after ſome Debate upon it, the further Conſideration of it was delay'd till the next Sitting.

In the mean time the Mob of *Edenburg* began to be unruly; 'tis not to be doubted but ſome Conſiderable Perſons, who hated the Union, did underhand foment it, tho' no Body of Faſhion appear'd amongſt them; they had for ſome time threaten'd Sir *Patrick Johnſton*, a very Honeſt Gentleman, the laſt Provoſt, and one of the Repreſentatives of *Edenburg*, and went and rudely inſulted his Houſe, and offered to break up his Gates, but were prevented by the Magiſtrates, who ſent ſome of the moſt Active of them to Priſon. This occaſion'd a great Commotion in the City, upon which the Privy Council was call'd, and the Foot Guards were order'd about 11 at Night to take Poſt in Three Places of the City, where they were to continue till the Parliament took the Matter into conſideration. In the mean time there was a Proclamation iſſued by the Council againſt the Peoples aſſembling in a tumultuous Manner: This was not all, Malicious Pamphlets againſt the Union as in the Articles abounded in the City, and the Common People had got ſuch Notions of it as made them very averſe to it.

To put a Stop to this Malignant Humour as much as in them lay, the Lord Chancellor repreſented on the 25th to the Parliament, that he was directed by the Lords of the Privy-Council to acquaint them, that upon Occaſion of the Rabble that happened on the 23d, by which ſeveral Members of Parliament were inſulted, the Privy-Council, for Security of the Parliament, and Peace of the Town, had brought in part of the Foot-Guards, and had iſſued a Proclamation againſt ſuch tumultuary Meetings, wherewith he was directed to acquaint the Parliament.

The Union was not to be impeded alone by the Mob of *Edenburg*; it's plain there were Methods concerted to thwart it throughout the Kingdom, and they

they were pleaſed to begin at *Lauder*, for on the 29th, the Day that the 12th, 20th and 21ſt, Articles were read and debated, and that the 22d and 23d were read, a Print was delivered to all the Members as they entred the Houſe, which ran in theſe Words.

Inſtructions by the Magiſtrates and Town-Council of the Burgh of Lauder, *to their Commiſſioner in Parliament, in relation to the Union propos'd betwixt the Kingdoms of* Scotland *and* England.

' AT *Lauder* the 23d Day of *October*, 1706 Years, ' the which Day the Bailiffs and Town-Council ' of the Burgh of *Lauder*, being convened in Coun- ' cil within the *Tolbooth* of the ſaid Burgh, ha- ' ving receiv'd a Letter directed to them from the ' Right Honourable Sir *Samuel Mackclellan*, Lord ' Provoſt of *Edenburgh*, dated the 15th Day of ' *October* Inſtant, calling and indicting a General ' Convention of the Royal Burroughs, to be holden ' and ſit at *Edenburg* upon the 29th Day of this In- ' ſtant *October*, and intreating to ſend a Commiſſi- ' oner to the ſaid Convention fully inſtructed, in ' relation to the Union propos'd betwixt the King- ' doms of *Scotland* and *England*, *&c.* as the ſaid ' Letter bears. And the ſaid Letter, with the Ar- ' ticles of the ſaid propos'd Union, being both *ver-* ' *batim* publickly read in preſence of the Bailiffs ' and Council, and all the other Burgeſſes, Inhabi- ' tants of the ſaid Burgh, allowed by the Bailiffs ' Council in this ſo great Concern, to be there ' preſent, and to give their Opinions ; it is unani- ' mouſly agreed to by the Bailiffs and Council, ' with Conſent of their Neighbouring Burgeſſes, ' that Sir *David Cunningham* of *Milncraig*, Knight ' and Baronet, and their Commiſſioner and Repre- ' ſentative in this preſent Parliament, ſhould be ' their Commiſſioner in the foreſaid General Con- ' vention of Burroughs, in the Terms of their ' Commiſſion of the Date hereof. And being fully ' con-

' convinced, that albeit their Commiſſion for re-
' preſenting them in this Current Parliament be
' conceiv'd in the moſt full and ample Terms ima-
' ginable, yet the ſame can never impower him
' to Act or Vote any thing which may tend to
' the impairing, or ſubverting, or altering any
' manner of Way his Conſtituents Conſtituti-
' on, Rights or Priviledges, without their Par-
' ticular and Unanimous Conſent given him
' for that Effect. And having likewiſe ſeri-
' ouſly conſider'd the ſeveral and particular Ar-
' ticles of the ſaid propos'd Union, and that they
' look upon themſelves as bound in Duty at this
' time to give their Opinion in Relation to the
' Union propos'd, do therefore unanimouſly give
' it as their humble Opinion, that the devolving
' the Power of the *Scots* Parliament into the Hands
' of a ſmall number of Lords, Barons, and Bur-
' roughs, allowed by the ſaid propoſed Articles to
' ſit and vote with the whole Lords and Com-
' mons of *England*, in a Parliament to be call'd
' the *Parliament of Great Britain*, is diſhonourable
' and prejudicial to the Kingdom of *Scotland*, tend-
' ing to the Deſtruction of their Ancient Conſti-
' tution, and all their Rights and Priviledges, as a
' Free People in general, and to every individual
' Perſon and Society within the ſame, eſpecially
' that of the Burroughs.

' Therefore, unleſs it ſhall be firſt agreed to in
' this preſent Parliament, or any other before the
' ſaid Union, that the *Scots* Parliament ſhall con-
' tinue in all time hereafter as formerly, and
' the Laws and Subjects of *Scotland* ſhall be only
' ſubjected to the Wiſdom of a *Scots* Parliament,
' conſtituted according to the Laws of the ſaid King-
' dom; the ſaid Bailiffs and Council, with con-
' ſent of their Burgeſſes, have impower'd, autho-
' thoriz'd and requir'd, and impower, authorize
' and require the ſaid Sir *David Cunningham*, their
' Commiſſioner in this preſent Parliament for

' them,

'them, and in their Names and Behalf, in open 'and plain Parliament, by his Vote to diſſent to, 'and diſaprove of all and every one of the Articles 'of the ſaid propos'd Union. And in caſe the 'ſaid Sir *David* ſhall not follow and obey 'theſe our Inſtructions, we proteſt that his Vote 'in the contrary thereof is null, being not only 'contrary to his Conſtituents their Inſtructions, 'but likewiſe tending to the impairing and ſubvert-'ing of their Conſtitution and Priviledges: But in 'caſe it ſhall be firſt agreed to by this or any ſucceed-'ing Parliament, that this and the ſucceeding 'Parliament ſhall continue as formerly, we 'then promiſe to give him, or any other our 'Commiſſioner for the time, our particular Inſtru-'ctions as to the other ſeveral Articles of the 'ſaid propos'd Union. And that this our Opi-'nion and Proceedings may be made known to 'our Brethren the other Royal Burroughs, we 'have ordained theſe Preſents to be publickly 'printed and diſpers'd among them. In Teſti-'mony whereof the ſaid Sir *David Cunningham*'s 'Commiſſion to the Royal Burroughs, and theſe 'his Inſtructions to the Parliament, being ſubſcri-'bed by the Bailiffs in Preſence of the Town Court 'Books of the Burrough of *Lauder*, by *Mark* '*Henderſon*, Common Clerk of the ſame, and 'the Common Seal of the ſaid Burgh is hereunto 'affixed. *Sic ſubſcribitur*,

M. Henderſon, *Clerk.*

The ſame Day Mr. *Fletcher* of *Salton* took the Freedom to ſay in Parliament that the Intereſt and Honour of the Nation was betrayed by the Commiſſioners. This occaſion'd a great Heat in the Houſe, and it was demanded that he ſhould be called to the Bar; upon which ſeveral Members of all Ranks ſtood up to vindicate what he had ſaid: And after a long Debate it was propoſed that he ſhould explain himſelf. The Explanation which he gave was to this Effect, that he could find no other

other Name but Treachery to the Actings of thoſe Gentlemen: He did indeed acknowledge that the Word was Harſh, but it was Truth; and if the Houſe thought he had committed any Offence by the Expreſſion, he was willing to ſubmit to their Cenſure; upon which the Debate was let fall.

In the mean time thoſe of the Mob who were taken up for the late Tumult, were committed to the Cuſtody of the Earl of *Errol*, Lord High Conſtable, in order to be tried by his Lordſhip, according to the Power he has veſted in him, to puniſh thoſe who break the Peace in the City in time of Parliament. The Guards were ſtill kept in the City, and in the Parliament Cloſe, which the diſaffected Party made a Subject of Clamour, as if the Proceedings of the Parliament were not free, but ſway'd by Military Force. When the Number of *Scots* Lords and Commons that were to be admitted to the Parliament of *Great Britain*, and the Proceedings of the Commiſſioners relating to the ſame, were read, there were ſharp Speeches on both Sides, particularly betwixt the Marquiſs of *Annandale* and Earl of *Stair*, by Mr *Fletcher* of *Salton*, the Lord Juſtice Clerk, and Sir *A. Home*. And the Duke of *Hamilton* concluded with one, wherein many Doubts were propos'd about the *Quota* of the *Scots* Lords and Commons, and the yeilding the Precedency of the *Scots* Peers to all the *Engliſh* of the ſame Rank; to which no Anſwer was given, nor any Vote propos'd that Night, ſo that they Adjourn'd.

It muſt be owned that thoſe who oppoſed the Union left to Stone unturned to carry their Point; they and their Emiſſaries talked of Addreſſes from all the Corners of the Kingdom againſt the preſent Scheme, wherein they pretend not to be againſt an Union, but againſt the Terms, as propos'd in the preſent Articles; ſo that many of the Traders who at firſt ſeem'd fond of it, now imbib'd other Notions, and Pamphlets were ſpread about to perſwade the *Presbyterians* that this Scheme was contrary

trary to their National and Solemn League and Covenant, and that by the ſacramental Teſt, which was eſtabliſh'd in *England*, they would be excluded from. The Parliament having read the 24th and 25th, being the Two laſt Articles, on the 30th of *October*, the next Day was appointed for a General Faſt, and on the 1ſt of *November* it was mov'd that they ſhould then proceed to the further and more particular Conſideration of the Articles of Union, in order to approve or not, and to begin with, and read the Firſt Article. Moved alſo, that the further Conſideration of the Articles of Union ſhall be delayed for ſome conſiderable time, till the Sentiments of the Parliament of *England* concerning it be known; and that the Members of Parliament might conſult thoſe whom they repreſented. And after ſome Debate on thoſe Motions, the following Petitions and Addreſſes were preſented, *viz.* One in the Name of the Barons, Freeholders and others within the Shire of *Midlothian*, another in Name of the Barons, Freeholders and others, within the Shire of *Linlithgow*. And Three in Name of the Barons and Freeholders of *Perth-ſhire*, all againſt allowing of an Incorporating Union with *England*, were read and diſcourſed on. And thereafter the Debate for delay, on account of conſulting of thoſe whom the Members repreſented, and of knowing the Sentiments of the Nation, and the Procedure of the Parliament of *England*, was let fall, and agreed that the Firſt Article of the Union ſhould be read; but that it ſhould be intire next *Sederunt* of Parliament, to debate whether or not the Firſt Article ſhould be concluded by approving thereof or not. Or if the Parliament might not, before concluding thereof, begin with and conclude any other of the Articles: And accordingly the firſt Article was read. The reſt of the Day was ſpent in reading and reaſoning on the Addreſſes; the Country Party argued, that the Union was a Matter of ſo great and general Concern, that it was not to be gone into with Precipitation; and that there were

many

many more Addreſſes coming, by which they would ſee the Inclinations of the Country, and of their Conſtituents. After this ſeveral other Propoſals were offered as Preliminaries, before they ſhould enter upon the Treaty; one of which was, that this Kingdom ſhould for ever be the Place of the Prince's Education and Reſidence; then there was a Debate, whether they ſhould proceed immediately to the Conſideration of the Firſt Article of the Treaty, or the Secnrity of the Church. This laſted till Night, and then the Parliament was adjourn'd till next Day, when accordingly they met, and had a very warm Debate, whether they ſhould firſt ſecure the Church, or enter on the Firſt Article. Much time being ſpent in this, my Lord Regiſter gave in a Reſolve as the State of the Vote, that they ſhould enter on the Article; but with this Proviſo, that tho' it ſhould be voted and approved, it ſhould be no Ways binding except all the reſt were agreed to. In Oppoſition to this it was propoſed, that the State of the Vote ſhould be ſimply, enter on the Article, or firſt ſecure the Church. A great many ſpoke for both States of the Vote; but being put to the Queſtion, the Lord Regiſter's was carried by a Majority of 38, and then Approv'd by a greater Number.

After this there were ſeveral ſmart Speeches made, *Pro* and *Con*, on the Subject of the Union, particularly the Lord *Beilhaven* againſt it ſpoke as follows.

My Lord Chancellor,

WHEN I conſider this Affair of an UNION betwixt the Two Nations, as it is expreſs'd in the ſeveral Articles thereof, and now the Subject of our Deliberation at this Time, I find my Mind crouded with variety of very Melancholy Thoughts, and I think it my Duty to diſburden my ſelf of ſome of them, by laying them before, and expoſing them to the Serious Conſideration of this Honourable Houſe.

I think I see *a Free and Independent Kingdom* delivering up That which all the World hath been fighting for since the Days of *Nimrod*; yea, That for which most of all the Empires, Kingdoms, States, Principalities and Dukedoms of *Europe*, are at this very time engaged in the most Bloody and Cruel Wars that ever were; *to wit*, A Power to manage their own Affairs by themselves, without the Assistance and Counsel of any other.

I think I see *a National Church*, founded upon a Rock, secured by a *Claim of Right*, hedged and fenced about by the strictest and pointed'st Legal Sanction that Sovereignty could contrive, voluntarily descending into a Plain, upon an equal Level with *Jews*, *Papists*, *Socinians*, *Arminians*, *Anabaptists*, and other Sectaries, *&c.*

I think I see *the Noble and Honourable Peerage of Scotland*, whose Valiant Predecessors led Armies against their Enemies upon their own proper Charges and Expences, now divested of their Followers and Vassalages, and upon such an equal Foot with their Vassals, that I think I see a petty *English* Exciseman receive more Homage and Respect, than what was paid formerly to their *quondam Mackallamors*.

I think I see *the present Peers of Scotland*, whose Noble Ancestors conquered Provinces, over-run Countries, reduc'd and subjected Towns and fortify'd Places, exacted Tribute through the greatest part of *England*, now walking in the Court of *Requests* like so many *English* Attornies, laying aside their walking Swords when in Company with the *English* Peers, lest their Self-defence should be found Murder.

I think I see *the Honourable Estate of Barons*, the bold Asserters of the Nation's Rights and Liberties in the worst of Times, now setting a Watch upon their Lips, and a Guard upon their Tongues, lest they be found guilty of *Scandalum Magnatum*.

I think I ſee the *Royal State of Burroughs* walking their deſolate Streets, hanging down their Heads under Diſappointments, wormed out of all the Branches of their old Trade, uncertain what Hand to turn to, neceſſitate to become Prentices to their unkind Neighbours; and yet after all, finding their Trade ſo fortified by Companies, and ſecured by Preſcriptions, that they deſpair of any Succeſs therein. 1706.

I think I ſee *Learned Judges* laying aſide their Practiques and Deciſions, ſtudying the Common Law of *England*, gravelled with Certioraries, *Niſi Prius*'s, Writs of Error, Verdicts *indovar*, *Ejectione firmæ*, Injunctions, Demurrs, *&c.* and frighted with Appeals and Avocations, becauſe of the new Regulations and Rectifications they may meet with.

I think I ſee the *Valiant and Gallant Soldiery* either ſent to learn the Plantation-Trade abroad, or at home petitioning for a ſmall Subſtance, as the Reward of their Honourable Exploits, while their Old Corps are broken, the common Soldiers left to beg, and the youngeſt *Engliſh* Corps kept ſtanding.

I think I ſee *the Honeſt Induſtrious Tradeſman* loaded with new Taxes and Impoſitions, diſappointed of the Equivolents, drinking Water in Place of Ale, eating his Saltleſs Pottage, petitioning for Encouragement to his Manufacturies, and anſwered by counter Petitions.

In ſhort, I think I ſee *the Laborious Ploughman* with his Corn ſpoiling upon his Hands for want of Sale, curſing the Day of his Birth, dreading the Expence of his Burial, and uncertain whether to marry or do worſe.

I think I ſee the incurable Difficulties of the *Landed Men* fettered under the Golden Chain of Equivalents, their pretty Daughers petitioning for want of Husbands, and their Sons for want of Employments.

I think I ſee *our Mariners* delivering up their Ships to their *Dutch* Partners; and what through Preſſes and Neceſſity, earning their Bread as Underlings in the Royal *Engliſh* Navy.

But above all, *my Lord*, I think I ſee *our Ancient Mother* CALEDONIA, like *Cæſar*, ſitting in the midſt of our Senate, rufully look round about her, covering herſelf with her Royal Garment, attending the Fatal Blow, and breathing out her laſt with a *Et tu quo que mi fili.*

Are not theſe, *my Lord*, very afflicting Thoughts? And yet they are but the leaſt part ſuggeſted to me by theſe Diſhonourable Articles; ſhould not the Conſideration of theſe things vivifie theſe *dry Bones* of ours? Should not the Memory of our Noble Predeceſſors *Valour and Conſtancy* rouze up our drooping Spirits? Are our Noble Predeceſſors Souls got ſo far into the *Engliſh Cabbage-ſtock and Colliflowers* that we ſhould ſhew the leaſt Inclination that Way? Are our Eyes ſo blinded? Are our Ears ſo Deafned? Are our Hearts ſo Hardened? Are our Tongues ſo Flattered, that in this our Day, I ſay, *my Lord, That in this our Day we ſhould not mind the things that concern the very Being and Well-being of our Ancient Kingdom before the Day be hid from our Eyes.*

No, my Lord, GOD *forbid*; *Man's Extremity is* GOD's *Opportunity: He is a preſent Help in time of Need, and a Deliverer, and that right early.* Some unforeſeen Providence will fall out, that may caſt the Balance; ſome *Joſeph* or other will ſay, *Why do ye ſtrive together ſince you are Brethren?* None can deſtroy *Scotland* ſave *Scotland*'s ſelf; hold your Hands from the Pen you are ſecure. Some *Juda* or other will ſay, *Let not our Hands be upon the Lad, he is our Brother.* There will be a *JEHOVAH-JIREH*, and *ſome Ram will be caught in the Thicket* when the Bloody Knife is at our Mother's Throat: Let us up then, *my Lord*, and let our Noble Patriots behave themſelves like Men, and we know not how ſoon a Bleſſing may come.

My

My Lord, I wiſh from my Heart that this my Viſion prove not as true as my Reaſons for it are probable; I deſign not at this time to enter into the Merits of any one particular Article; I intend this Diſcourſe as an Introduction to what I may afterwards ſay upon the whole Debate, as it falls in before this Honourable Houſe; and therefore, in the farther Proſecution of what I have to ſay, I ſhall inſiſt upon ſome few Particulars, very neceſſary to be underſtood, before we enter into the Detail of ſo Important a Matter.

I ſhall therefore in the *firſt place* endeavour to encourage a free and full Deliberation, without Animoſities and Heats: In the *next place* I ſhall endeavour to make an Enquiry into the Nature and Source of the Unnatural and Dangerous Diviſions that are now on Foot within this Iſle, with ſome Motives ſhewing that it is our Intereſt to lay them aſide at this time: Then I ſhall enquire into the Reaſons which have induced the Two Nations to enter into a Treaty of Union at this Time, with ſome Conſiderations and Meditations with relation to the Behaviour of the Lords Commiſſiners of the Two Kingdoms in the Management of this great Concern: And laſtly, I ſhall propoſe a Method, by which we ſhall moſt diſtinctly, and without confuſion, go through the ſeveral Articles of this Treaty, without unneceſſary Repetitions, or loſs of Time: And all this with all Deference, and under the Correction of this Honourable Houſe.

My Lord Chancellor, the greateſt Honour that was done unto a *Roman* was to allow him the Glory of a Triumph; the greateſt and moſt diſhonourable Puniſhment was that of *Parricide*: He that was guilty of *Parricide* was beaten with Rods upon his naked Body till the Blood guſh'd out of all the Veins of his Body, then he was ſow'd up in a Leathern Sack, call'd a *Culeus*,

with a Cock, a Viper, and an Ape, and thrown headlong into the Sea.

My Lord, *Patricide* is a greater Crime than *Parricide* all the World over.

In a Triumph, *my Lord*, when the Conqueror was riding in his Triumphal Chariot, crowned with Lawrels, adorned with Trophies, and applauded with Huzza's, there was a *Monitor* appointed to ſtand behind him to warn him not to be high-minded, not puffed up with overweening Thoughts of himſelf; and to his Chariot were tied a Whip and a Bell, to mind him that for all his Glory and Grandeur he was accountable to the People for his Adminſtration, and would be puniſhed as other Men if found guilty.

The greateſt Honour amongſt us, *my Lord*, is to repreſent the Sovereign's Sacred Perſon in Parliament; and in one particular it appears to be greater than that of a Triumph, becauſe the whole Legiſlative Power ſeems to be wholly intruſted with him: If he give the Royal Aſſent to an Act of the Eſtates, it becomes a Law obligatory upon the Subject, tho' contrary or without any Inſtructions from the Sovereign: If he refuſe the Royal Aſſent to a Vote in Parliament it cannot be a Law, tho' he has the Sovereign's particular and poſitive Inſtructions for it.

His Grace the Duke of *Queensberry*, who now repreſents Her Majeſty in this Seſſion of Parliament, hath had the Honour of that Great Truſt, as often, if not more, than any *Scots-Man* ever had: He hath been the Favourite of Two Succeſſive Sovereigns; and I cannot but commend his Conſtancy and Perſeverance, that notwithſtanding his former Difficulties and unſucceſsful Attempts, and maugre ſome other Specialities not yet determined, that his Grace has yet had the Reſolution to undertake the moſt unpopular Meaſures laſt. If his Grace ſucceed in this Affair of an Union, and that it prove for the Happineſs and Welfare of the Nation, then he juſtly Merits to have

have a Statue of Gold erected for himſelf; but if it ſhall tend to the intire Deſtruction and Abolition of our Nation, and that we the Nation's Truſtees ſhall go into it, then I muſt ſay, that a Whip and a Bell, a Cock, a Viper, and an Ape, are but too ſmall Puniſhments for any ſuch bold, unnatural Undertaking and Complaiſance.

That I may pave a Way, *my Lord*, to a full, calm and free Reaſoning upon this Affair, which is of the laſt Conſequence unto this Nation, I ſhall mind this Honourable Houſe, that we are the Succeſſors of our Noble Predeceſſors who founded our Monarchy, framed our Laws, amended, altered, or corrected them from Time to Time, as the Affairs and Circumſtances of the Nation did require, without the Aſſiſtance or Advice of any Foreign Power or Potentate, and who, during the time of 2000 Years, have handed them down to us a Free, Independent Nation, with the hazard of their Lives and Fortunes: Shall not we then argue for that which our Pregenitors have purchaſed for us at ſo dear a Rate, and ſo much Immortal Honour and Glory? GOD forbid. Shall the Hazard of Father unbind the Ligaments of a Dumb Son's Tongue; and ſhall we hold our Peace, when our *Patria* is in danger? I ſpeak this, *my Lord*, that I may encourage every individual Member of this Houſe to ſpeak his mind freely. There are many Wiſe and Prudent Men among us, who think it not worth their while to open their Mouths; there are others who can ſpeak very well, and to good purpoſe, who ſhelter themſelves under the ſhameful Cloak of Silence, from Fear of the Frowns of Great Men and Parties. I have obſerved, *my Lord*, by my Experience, the greateſt number of Speakers in the moſt trivial Affairs; and it will always prove ſo, while we come not to the right underſtanding of our Oath *de Fideli*, whereby we are bound not only to give our Vote, but our faithful Advice in Parliament, as we ſhould *Anſwer*

to GOD; and in our Ancient Laws, the Repreſentatives of the Honourable Barons, and the Royal Burroughs, are termed Spokeſmen. It lyes upon your Lordſhips therefore particularly to take notice of ſuch whoſe Modeſty makes them baſhful to ſpeak; therefore I ſhall leave it upon you, and conclude this Point with a very Memorable Saying of an Honeſt Private Gentleman to a Great *Queen*, upon Occaſion of a State-Project, contrived by an Able Stateſman, and the Favourite to a great *King*, againſt a Peaceable Obedient People, becauſe of the Diverſity of their Laws and Conſtitutions, *If at this time thou hold thy Peace, Salvation ſhall come to the People from another Place, but thou and thy Houſe ſhall periſh.* I leave the Application to each Particular Member of this Houſe.

My Lord, I come now to conſider our *Diviſions*. We are under the happy Reign (bleſſed be GOD) of the *Beſt of Queens*, who has no Evil Deſign againſt the meaneſt of her Subjects, who loves all her People, and is equally beloved by them again; and yet that under the happy Influence of our moſt Excellent *Queen* there ſhould be ſuch Diviſions and Factions, more dangerous and threatning to her Dominions than if we were under an Arbitrary Government, is moſt ſtrange and unaccountable. Under an Arbitrary Prince all are willing to ſerve, becauſe all are under a neceſſity to obey, whether they will or not. He chuſes therefore whom he will, without reſpect to either Parties or Factions; and if he think fit to take the Advices of his Councils or Parliaments, every Man ſpeaks his Mind freely, and the Prince receives the Faithful Advice of his People without the mixture of Selfdeſigns: If he prove a good Prince the Government is eaſie; if bad either Death or a Revolution brings a Deliverance. Whereas here, *my Lord*, there appears no end of our Miſery, if not prevented in time; Factions are now become Independent, and have got Footing in Councils, in Par-

Parliaments, in Treaties, in Armies, in Corporations, in Families, among Kindred, yea, Man and Wife are not free from their Political Jarrs.

It remains therefore, *my Lord*, that I enquire into the Nature of these things, and since the Names give us the right *Idea* of the thing, I am afraid I shall have Difficulty to make my self well understood.

The Names generally used to denote the Factions are *Whig* and *Tory*, as obscure as that of *Guelfs and Gibelins*: Yea, *my Lord*, that have different Significations, as they are applied to Factions in each Kingdom; a *Whig* in *England* is a Heterogeneous Creature, in *Scotland* he is all of a piece; a *Tory* in *England* is all of a piece, and a *Statesman* in *Scotland* he is quite otherwise, an Anti-Courtier and Anti-Statesman.

A *Whig* in *England* appears to be somewhat like *Nebuchadnezzar*'s Image of different Metals, different Clauses, different Principles, and different Designs; yet take them all together they are like a Piece of fine-mixed Drugget of different Threads, some finer, some coarser, which after all make a comely Appearance, and an agreeable Suit: *Tory* is like a Piece of Loyal-made *English* Cloth, the true Staple of the Nation, all of a Thread; yet if we look narrowly into it we shall perceive Diversity of Colours, which according to the various Situations and Positions makes various Appearances; Sometimes *Tory* is like the Moon into its Full, as appeared in the Affair of the *Bill of Occasional Conformity*; upon other Occasions it appears to be under Cloud, and as if it were eclipsed by a greater Body, as it did in the Design of calling over the Illustrious Princess *Sophia*. However, by this we may see their Designs are to outshoot *Whig* in his own Bow.

Whig in *Scotland* is a true Blue *Presbyterian*, who without considering Time or Power will *venture their All for the Kirk*, but something less to the State. *The greatest Difficulty* is how to

describe a *Scots Tory*: Of old, when I knew them first, *Tory* was an Honest-hearted Comradish Fellow, who, provided he was maintain'd and protected in his Benefices, Titles and Dignities by the State, he was the less anxious who had the Government and Management of the Church: But now what he is since *Jure-Divinity* came in Fashion; and that Christianity, and, by Consequence, Salvation comes to depend upon Episcopal Ordination, I profess I know not what to make of him; only this I must say for him, that he endeavours to do by Opposition, that which his Brother in *England* endeavours by a more prudent and less scrupulous Method.

Now, *my Lord*, from these Divisions there has got up a kind of *Aristocracy*, something like the Famous Triumvirate at *Rome*; they are a kind of Undertakers, and Pragmatick Statesmen, who finding their Power and Strength great, and answerable to their Designs, will make Bargains with our Gracious Sovereign; they will serve her faithfully, but upon their own Terms; they must have their own Instruments, their own Measures; this Man must be turned out, and that Man put in, and then they'll make her the most *Glorious Queen* in *Europe*.

Where will this end, *my Lord?* Is not Her Majesty in Danger by such a Method? Is not the Monarchy in Danger? Is not the Nation's Peace and Tranquility in Danger? Will a Change of Parties make the Nation more happy? No, *My Lord*, the Seed is sown that is like to afford us a perpetual Increase; it's not an Annual Herb, it takes deep Root, it Seeds and Breeds; and if not timely prevented by Her Majesties Royal Endeavours will split the whole Island in Two.

My Lord, I think, considering our present Circumstances at this time, the Almighty GOD has reserv'd this Great Work for us. We may bruise this *Hydra* of Division, and crush this *Cockatrice's* Egg. Our Neighbours in *England* are not yet fitted

fitted for any ſuch thing; they are under the afflicting Hand of Providence as we are; their Circumſtances are Great and Glorious, their Treaties are Prudently Manag'd, both at Home and Abroad, their Generals Brave and Valorous, their Armies Succeſsful and Victorious, their Trophies and Laurels Memorable and Surprizing, their Enemies Subdued and Routed, their Strong-holds Beſieged and Taken, Sieges Relieved, Marſhals Kill'd and Taken Priſoners, and Kingdoms are the Reſults of their Victories, their Royal Navy is the Terror of *Europe*, their Trade and Commerce Extended through the Univerſe, incircling the whole Habitable World, and rendering their own Capital City the *Emporium* for the whole Inhabitants of the Earth; and, which is yet more than all theſe things, the Subjects freely beſtowing their Treaſure upon their Sovereign; and above all, theſe vaſt Riches, their Sinews of War, and without which all the Glorious Succeſs had proven Abortive, theſe Treaſures are manag'd with ſuch Faithfulneſs and Nicety, that they anſwer ſeaſonably all their Demands, tho' at never ſo great a Diſtance. Upon theſe Conſiderations, *my Lord*, how hard and difficult a Thing will it prove to perſwade our Neighbours to a ſelf-denying Bill!

It's quite otherways with us, *my Lord*, we are an obſcure, poor People, tho' formerly of better Account, remov'd to a remote Corner of the World, without Name, and without Alliances, our Poſts Mean and Precarious; ſo that I profeſs I don't think any one Poſt of the Kingdom worth the briguing after, ſave that of being Commiſſioner to a long Seſſion of a Factious *Scotch* Parliament, with an antedated Commiſſion, and that yet renders the reſt of the Miniſters more miſerable. What hinders us then, *my Lord*, to lay aſide our Diviſions, to unite Cordially and Heartily together in our preſent Circumſtances, when *our All is at Stake? Hannibal*, *my Lord*, is at our Gates, *Hannibal* is come within our Gates, *Hannibal* is come the Length

Length of this Table, he is at the Foot of this Throne, he will demoliſh this Throne; if we take not Notice he'll ſeize upon theſe *Regalia*, he'll take them as our *ſpolia opima*, and whip us out of this Houſe, never to return again.

For the Love of GOD then, *my Lord*, for the Safety and Welfare of our Antient Kingdom, whoſe ſad Circumſtances, I hope, we ſhall yet convert into Proſperity and Happineſs! We want no Means if we unite; GOD bleſſeth the Peace-makers; we want neither Men, nor Sufficiency of all manner of Things neceſſary, to make a Nation happy; all depends upon Management, *Concordiâ res parvæ creſcunt*. I fear not theſe Articles, tho they were Ten times worſe than they are, if we once Cordially forgive one another, and that according to our Proverb, *Bygones be bygones, and fair Play for time to come*. For my part, in the Sight of GOD, and in the Preſence of this Honourable Houſe, I heartily forgive every Man, and beg that they may do the ſame to me; and I do moſt humbly propoſe, that his Grace, *my Lord Commiſſioner*, may appoint an *Agape*, may order a Love-Feaſt for this Honourable Houſe, that we may lay aſide all Self-deſigns, and after our Faſts and Humiliations, may have a Day of Rejoicing and Thankfulneſs, may eat our Meat with Gladneſs, our Bread with a merry Heart; then ſhall we *ſit each Man under his own Fig-tree, and the Voice of the Turtle ſhall be heard in our Land*; a Bird Famous for Conſtancy and Fidelity.

My Lord, I ſhall make a Pauſe here, and ſtop going on further in my Diſcourſe till I ſee farther, if his Grace, *my Lord Commiſſioner*, receive any humble Propoſals for removing Miſunderſtandings among us, and putting an End to our Fatal Diviſions; upon Honour I have no other Deſign, and I am content to beg the Favour upon my bended Knees.

No Answer!

My Lord Chancellor, I am sorry that I must pursue the Thread of my Sad and Melancholy Story: What remains I am afraid may prove as afflicting as what I have said; I shall therefore consider the Motives which have ingaged the Two Nations to enter upon a Treaty of Union at this time. In general, *my Lord*, I think both of them had in their View to better themselves by the Treaty; but before I enter upon the particular Motives of each Nation, I must inform this Honourable House, that since I can remember the Two Nations have alter'd their Sentiments upon that Affair, even almost to downright Contradiction; they have changed *Head-bands* as we say; for *England*, till of late, never thought it worth their Pains of treating with us; the good Bargain they made at the Beginning they resolve to keep; and that which we call an Incorporating Union was not so much as in their Thoughts. The First Notice they seem'd to take of us was in our Affair of *Caledonia*, when they had most effectually broke off that Design in a manner, very well known to the World, and unnecessary to be repeated here; they kept themselves quiet during the time of our Complaints upon that Head. In which time our Sovereign, to satisfie the Nation, and allay their Heats, did condescend to give us some good Laws, and amongst others that of Personal Liberties; but *England* having declar'd their Succession, and extended their Intail, without ever taking Notice of us, our Sovereign Queen *ANN* was Graciously pleased to give the Royal Assent to our *Act of Security*, to that of *Peace and War* after the Decease of her Majesty, and the Heirs of her Body, and to give us a Hedge to all our Sacred and Civil Interests, by declaring it High-Treason to endeavour the Alteration of them, as they were then established. Thereupon did follow the threatning and minatory Laws against us by the Parliament of *England*, and the unjust and unequal Character of

of what her Majesty had so Graciously condescended to in our Favours. Now, *my Lord*, whether the Desire they had to have us engag'd in the same Succession with them, or whether they found us like a Free and Independent People, breathing after more Liberty than what formerly was look'd after, or whether they were afraid of our *Act of Seeurity*, in case of Her Majesties Decease, which of all these Motives has induc'd them to a Treaty? I leave it to themselves. This I must say only, they have made a good Bargain this time also.

For the particular Motives that induc'd us I think they are obvious to be known, we found by sad Experience, that every Man hath advanc'd in Power and Riches, as they have done in Trade, and at the same time considering, that no where through the World Slaves are found to be Rich, tho' they would be adorn'd with Chains of Gold, we thereupon changed our Notion of an Incorporating Union, to that of a Federal one; and being resolv'd to take this Opportunity to make Demands upon them before we enter'd into this Succession, we were content to impower Her Majesty to Authorize and Appoint Commissioners to treat with the Commissioners of *England*, with as ample Powers as the Lords Commissioners from *England* had from their Constituents, that we might not appear to have less Confidence in Her Majesty, nor more Narrow-hearted in our Act, than our Neighbours of *England*: And thereupon last Parliament, after Her Majesties Gracious Letter was read, desiring us to declare the Succession in the first Place, and afterwards to appoint Commissioners to treat, we found it necessary to renew our former *Resolve*, which I shall read to this Honourable House.

Resolve presented by the Duke of Hamilton *last Session of Parliament.*

'That this Parliament will not proceed to the 'Nomination of a Successor till we have had a 'pre-

' previous Treaty with *England*, in relation to ' our Commerce, and other Concerns with that ' Nation. And farther, it is *Reſolved*, That this ' Parliament will proceed to make ſuch Limitati- ' ons and Conditions of Government, for the ' Rectification of our Conſtitution, as may ſecure ' the Liberty, Religion, and Independency of this ' Kingdom, before they proceed to the ſaid Nomi- ' tion.

Now, *my Lord*, the laſt Seſſion of Parliament having, before they would enter upon any Treaty with *England*, by a Vote of the Houſe, paſt both an Act for Limitations, and an Act for Rectification of our Conſtitution, what Mortal Man has Reaſon to doubt the Deſign of this Treaty was only Federal?

My Lord Chancellor, it remains now that we conſider the Behaviour of the Lords Commiſſioners at the opening of this Treaty: And before I enter upon that allow me to make this Meditation, that if our Poſterity, after we are all dead and gone, ſhall find themſelves under an ill-made Bargain, and ſhall have a Recourſe unto our Records, and ſee who have been the Managers of that Treaty by which they have ſuffered ſo much, when they read the Names they will certainly conclude and ſay, Ah! Our Nation has been reduced to the laſt Extremity at the time of this Treaty; all our great Chieftains, all our Great Peers, and Conſiderable Men, who us'd formerly to defend the Rights and Liberties of the Nation, have been all Kill'd, and Dead in the Bed of Honour, before ever the Nation was neceſſitate to condeſcend to ſuch mean and contemptible Terms; where are the Names of the Chief Men, of the Noble Families of *Stewards*, *Hamiltons*, *Grahams*, *Campbels*, *Gordons*, *Johnſtons*, *Homes*, *Murrays*, *Kers*, &c? Where are the Two great Officers of the Crown, the *Conſtables*, and

and *Marſhals* of *Scotland*? They have certainly all been extinguiſhed, and now we are Slaves for ever.

Whereas the *Engliſh* Records will make their Poſterity reverence the Memory of the Honourable Names, who have brought under their fierce, warlike, and troubleſome Neighbours, who had ſtruggled ſo long for Independency, ſhed the beſt Blood of their Nation, and reduc'd a conſiderable Part of their Country to become waſte and deſolate.

I am informed *my Lord*, that our Commiſſioners did indeed frankly tell the Lords Commiſſioners for *England*, that the Inclination of the People of *Scotland* were much alter'd of late, in relation to an Incorporating Union, and that therefore ſince the Intail was to end with Her Majeſties Life, (whom GOD long preſerve) it was proper to begin the Treaty upon the Foot of the Treaty the 1604th Year of GOD, the Time when we came firſt under One Sovereign: But this the *Engliſh* Commiſſioners, that they might not ſeem obſtinate, were willing to treat and conclude in the Terms laid before this Honourable Houſe, and ſubjected to their Determination.

If the Lords Commiſſioners for *England* had been as Civil and Complaiſant, they ſhould certainly have finiſh'd a Federal Treaty likeways, that both Nations might have the Choice, which of them to have gone into, as they thought fit; but they would hear of nothing but of an Entire and Compleat Union; a Name which comprehends an Union, either by Incorporation, Surrender, or Conqueſt; whereas our Commiſſioners thought of nothing but a Fair, Equal, Incorporating Union; whether this be ſo or no I leave it to every Man's Judgment; but as for my ſelf I muſt beg Liberty to think it no ſuch thing: For I take an Incorporating Union to be where there is a Change both in the Material and Formal Points of Government; as if Two Pieces of Metal were melted down into one Maſs, it can neither be ſaid to retain its former Form or Subſtance as it did before the Mixtu re

ture. But now, when I consider this Treaty, as it hath been explain'd and spoke to before us these Three Weeks by past, I see the *English* Constitution remaining firm, the same Two Houses of Parliament, the same Taxes, the same Customs, the same Excises, the same Trade in Companies, the same Municipal Laws and Courts of Judicature, and all ours either subject to Regulations or Annihilations; only we have the Honour to pay their old Debts, and to have some few Persons present for Witnesses to the Validity of the Deed when they are pleased to contract more.

Good God! What, is this an intire Surrender?

My Lord, I find my Heart so full of Grief and Indignation, that I must beg Pardon not to finish the last part of my Discourse, that I may drop a Tear as the Prelude to so sad a Story.

After having sat down, and some Discourses by other Members intervening, he continued his Discourse thus:

My Lord Chancellor, what I am now to say relates to the Method of Proceeding in this Weighty Affair: I hear it proposed by a Noble Member of the other Side that we should proceed in the same Order as the Lords Commissioners Treaters did. In my Humble Opinion, *my Lord*, it is neither the Natural Method, nor can it be done without great Confusion and Repetition. To say you'll agree to the Union of the Two Kingdoms before you agree in the Terms upon which they are to be United, seems like *driving the Plough before the Oxen.* The Articles which narrate the Conditions seem to be the Premises upon which the Conclusion is inferred; and according as they are found good or bad, the Success will follow. When a Man is Married to a Fortune in *England*, as they call it, I suppose he is satisfied with the Thing before he determines himself to Marry; and the Proposal I have heard of agreeing to the First Article with a *Proviso*, That if the rest of the Articles shall be found satisfactory, and no otherwise, is of a piece with the rest, and looks like beating the Air, and no ways consistent with fair and square Deal-

Dealings. Besides, *my Lord*, if we were to go upon the First Article, are not all the rest of the Articles, besides many others not contained in the Articles, valid Arguments, either *Pro* and *Con*, against concluding or not concluding the First Article? And no Vote in this House can hinder a Man from making use of what Arguments he thinks fit. Moreover, the searching the Records, and the revising the *Statute-Books*, comparing *the Books of Rates, Customs, Excise, Taxes*, of both Nations with one another, must all be previously consider'd e'er we determine our selves in one single Article; add to this, that the prohibitory Clause with Relation to the Trade of both Nations must be adjusted, lest, like *Æsop*'s Dog, we lose the old in grasping at the new; the State of the *English* Companies must also be exposed how far we shall have Liberty into them, and what Advantage we may propose to our selves by Trading to these Places where they are secured; and above all, *my Lord*, the Security of our National Church, and all that's dear unto us, must be previously established to us, if practicable, before we conclude the First Article. Therefore, *my Lord*, tho' my particular Opinion be, tho' we had a *Cart-blanch* from *England*, yet the delivery up of our Sovereignty gives back with one Hand what we receive with the other; and that there can be no Security without the Guarantee of a distinct Independency betwixt the Parties Treating: Yet, *my Lord*, for farther Satisfaction to this Honourable House, that every Member may fully satisfie himself, I humbly propose, that passing by the First Three Articles, which appear to be much of a piece, we begin at the Fourth Article of the Treaty; and if I be seconded in this, I desire it may be put to the Question.

There were other Speeches on the same Side, (particularly by Mr. *Fletcher* of *Salton*;) and also to the same purpose: Let us now see what was said in favour of the Union, on the Part of which we find the following Speech spoke at the same time, by Mr. *Seaton* of *Pittmeden*, Junior. *My*

1706.

My Lord Chancellor,

THIS Honourable Houſe has heard the ſeveral *Articles of the Treaty of Union* Twice read, has ſpent a conſiderable time in diſcourſing to each of them, and after much Debate is come to examine and determine upon the Firſt: Notwithſtanding all the Arguments offered againſt it, I cannot find the leaſt Motive for altering the Opinion I had at Signing this Article, having had the Honour to be one of the Commiſſioners appointed by her Majeſty for that End; but that I may give all Satisfaction to every Member, I ſhall offer in a plain manner my Thoughts in Relation to it.

My Lord, This Article is the Foundation of the whole Treaty, and the Approving or Rejecting of it muſt determine Union or no Union betwixt Both Kingdoms.

How far the approving this Article conduces to our Happineſs appears evidently, by conſidering the Three different Ways propoſed for retrieving the Languiſhing Condition of this Nation; which are, that we continue under the ſame Sovereign with *England*, with Limitations on his Prerogative as King of *Scotland*; that the Two Kingdoms be Incorporated into One, or that they be entirely ſeparated.

That the Union of Crowns with Limitations on the Succeſſor is not ſufficient to rectifie the Bad State of this Nation, appears from theſe Poſitions founded on Reaſon and Experience.

Two Kingdoms ſubject to One Sovereign, having different Intereſts, the nearer thoſe are to one another, the greater Jealouſie and Emulation will be betwixt 'em.

Every Monarch, having Two or more Kingdoms, will be obliged to prefer the Counſel and Intereſt of the Stronger to that of the Weaker: And the greater Diſparity of Power and Riches there is betwixt theſe Kingdoms, the greater Influence the

more Powerful Nation will have on the Sovereign. Notwithſtanding theſe Poſitions, I ſhall ſuppoſe the Parliament of *Scotland* is veſted with the Power of making Peace and War, of rewarding and puniſhing Perſons of all Ranks, of levying Troops, and of the *Negative* itſelf.

I cou'd ſhow the Inconveniencies that muſt attend ſuch a State of Government in diſpoſal of Places, and managing Publick Affairs; I cou'd likewiſe ſhow the Improbability of attaining ſuch Conditions, or keeping 'em if attained; but laying aſide ſuch Conſiderations, my Humble Opinion is, That we cannot reap any Benefit from theſe Conditions of Government without the Aſſiſtance of *England*; and the People thereof will never be convinced to promote the Intereſt of *Scotland* till Both Kingdoms are Incorporated into One: So that I conceive ſuch a State of Limitations to be no better for *Scotland*, than if it were entirely ſeparated from *England*, in which State there's little Appearance of procuring any Remedy to our preſent Circumſtances, which appears from theſe uncontroverted Poſitions.

The People and Government of *Scotland* muſt be Richer or Poorer as they have Plenty or Scarcity of Money, the common Meaſure of Trade.

No Money or Things of Value can be purchas'd in the Courſe of Commerce, but where there's Force to protect it.

This Nation is behind all other Nations of *Europe* for many Years, with reſpect to the Effects of an extended Trade.

This Nation being Poor, and without Force to protect its Commerce, cannot reap great Advantages by it, till it partake of the Trade and Protection of ſome powerful Neighbour Nation, that can communicate both theſe.

To illuſtrate this laſt Poſition, I ſhall give a ſhort View of the State of Commerce, we muſt needs be in, with reſpect to our Neigbour Nations,

tions, ſuppoſing an entire Separation from *England*.

The ordinary Means whereby we can flouriſh in Wealth, is that Ballance which ariſes from the Exchange of our Natural or Artificial Product with other Places: But we have no other valuable Branch of Export, which does not interfere with the like Commodity, in ſome more powerful Neighbour-Nation, whoſe Intereſts is to ſuppreſs or diſcourage our Commodity, for raiſing the Value of its own, ſo that there's no demonſtrable Security for the Vent and Encouragement of any Branch of our Export.

Can it be expected that *Holland* will ſuffer us to improve our Fiſhery, which is to them a Nurſery for Seamen, a Livelihood to many Families, and an immenſe Treaſure to the Publick?

If we Traffick with *England*, our Linen-Cloth, Cattle and Coals, will be diſcouraged, at leaſt after the ſame manner we diſcourage Export from thence. If we Traffick with *Muſcovy*, *Sweden*, *Denmark*, *Poland*, *Germany*, *France*, *Spain*, *Portugal* and *Italy*, the Sale of our Commodities will be of ſmall Value in theſe Places; ſeeing the *Dutch* and *Engliſh*, by their Increaſe of Trade, are capable to ſerve them with moſt of the like Goods, cheaper and better than we.

Let us look to any other Part of the World for Vent to our Product, and we ſhall find other Nations have prevented us.

If we attempt the *Eaſt-India* Trade, that is already Enhanſed by the *Dutch*, *Engliſh*, *French*, *Spaniards*, or *Portugueze*, from whom we muſt expect Oppoſition, they themſelves Oppoſing one another daily; and we of no Force to Debate the ſame with the moſt inconſiderable with them.

The Trade of *Africa* is, for the moſt part, of ſmall Value; and every Province of *America* is claimed as Property by ſome Powerful *European* Nation.

If it be ſaid that *Scotland* may make Alliance with one of its Neighbour Nations for Protection, that Alliance muſt be with *Holland*, *England* or *France*; other Countries being ſo Remote or Poor that their Friendſhips can be of little Uſe to us.

With *Holland* we can have no Advantageous Alliance, becauſe its chief Branch of Trade is the ſame with ours; with the *Engliſh* we can expect no profitable Friendſhip, for they being our near Neighbours, will be Jealous of our Increaſe in Power; and from *France* few Advantages can be reap'd, till the old Offenſive and Defenſive *League* be revived betwixt *France* and *Scotland*, which would give Umbrage to the *Engliſh*, and occaſion a War betwixt them and us. And allowing the *Scots* in ſuch a Juncture, with the Aſſiſtance of *France*, to Conquer *England*, *Scotland* by that Conqueſt could not hope to better its preſent State; for 'tis more than probable the Conqueror would make his Reſidence in *England*, as formerly the Northern People uſed to do in their Southern Expeditions.

From theſe Conſiderations I conceive, that this Nation, by an entire Separation from *England*, cannot extend its Trade, ſo as to raiſe its Power in Proportion to other Trafficking Nations in *Europe*; but that thereby we may be in danger of returning to that *Gothick* Conſtitution of Government, wherein our Forefathers were, which was frequently attended with Feuds, Murders, Depredations and Rebellions.

My Lord, I am ſorry that in place of Things we amuſe our ſelves with Words; for my Part I comprehend no durable Union betwixt *Scotland* and *England*, by that expreſs'd in this Article by One Kingdom, that is to ſay, One People, One Civil Government, and One Intereſt.

'Tis true, the Words *Federal Union* are become very faſhionable, and may be handſomely fitted to delude unthinking People: But if any Member of this Houſe will give himſelf the Trou-

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ble to examine what Conditions or Articles are underſtood by theſe Words, and reduce them into any kind of Federal Compacts, whereby diſtinct Nations have been United, I'll preſume to ſay theſe will be found Impracticable, or of very little Uſe to us.

But to put the Matter in a clear Light, theſe *Queries* ought to be duly examined, Whether a Federal Union be practicable betwixt Two Nations accuſtomed to a Monarchial Government? Whether there can be any ſure Guaranty projected for the Obſervance of the Articles of a Federal Compact, ſtipulated betwixt Two Nations, whereof the one is much Superior to the other in Riches, Number of People, and an extended Commerce? Whether the Advantage of a Federal Union do Ballance its Diſadvantages? Whether the *Engliſh* will accept a Federal Union, ſuppoſing it to be for the true Intereſt of Both Nations? Whether any Federal betwixt *Scotland* and *England* is ſufficient to ſecure the Peace of this Iſland, to fortifie it againſt the Intrigues and Invaſions of its Foreign Enemies? And whether *England*, in Prudence, ought to Communicate its Trade and Protection to this Nation till Both Kingdoms are Incorporated into One.

To clear this laſt *Query* I ſhall offer a Remark from Hiſtory.

Of Two Independant and Diſtinct Kingdoms united by a Federal Compact under One Sovereign, the Weaker, to preſerve its Intereſt, has ſometimes ſeparated from the Stronger, unleſs prevented by open Force, or ſecret Influence on its Government.

Spain and *Portugal* were ſubject to the ſame Sovereign, *Philip* II. and notwithſtanding the *Portugueze* got moſt Advantageous Conditions from *Spain*, they no ſooner found a favourable Opportunity, in the Reign of *Philip* IV. than they revolted from their Allegiance, and Elected the Duke of *Braganza* for their King.

Sweden and *Denmark* were united by a Federal Compact under One Monarch, but the *Swedes* judged a Separation more for their Intereſt, broke off, and choſe *Guſtavus* I. for their King.

My Lord, I ſhould now conſider an Incorporating Union, as it is expreſſed in this Article by *One Kingdom*: But that I may not take up the time of the Houſe, I ſhall only give One Hiſtorical Remark with Relation to it.

Two or more diſtinct Kingdoms or States, by Incorporating into One Kingdom, have continued under the ſame Sovereign, enjoying equally the Protection of his Government; and every Part of the Body Politick, tho' never ſo far removed from the Seat of Government, has Flouriſhed in Wealth, in proportion to the Value of its Natural Product, or the Induſtry of its Inhabitants. To prove this Remark there are many Examples.

Spain was formerly divided into ſeveral Kingdoms, Ten whereof are Incorporated into the One Kingdom of *Spain*.

France was formerly divided into 12 States, which are Incorporated into the One Kingdom of *France*.

England was formerly divided into Seven Kingdoms, which are Incorporated into One Kingdom of *England*; *Scotland* itſelf was formerly divided into Two Kingdoms, which at preſent are Incorporated into the One Kingdom of *Scotland*.

I cou'd give ſome Account of the particular Advantages we ſhall obtain by an Incorporating Union with *England*, but there will be Occaſions to diſcourſe of theſe as the other Articles fall under the Conſideration of this Parliament. In general I may aſſert, that by this Union we have Acceſs to all the Advantages in Commerce the *Engliſh* enjoy, we ſhall be capable, by a good Government, to improve our National Product for the Benefit of the whole Iſland; and have our Liberty Property and Religion ſecured under the Protection

of

of One Sovereign, and One Parliament of *Great Britain*.

Now, *my Lord*, if Limitations on the Succeſſor can be of little or no uſe to us; if an entire Separation from *England* brings no Advantage to this Nation; and if all Federal Compacts, as we are ſtated, have inſuperable Difficulties, which in ſome Meaſure I have clear'd, there's but One of Two left to our Choice, *to wit*, that Both Kingdoms be united into One, or that we continue under the ſame Sovereign with *England*, as we have done theſe 100 Years paſt. This laſt I conceive to be of a very ill State; for by it (if Experience be convincing) we cannot expect any of the Advantages of an Incorporating Union; but on the contrary, our Sovereignty and Independency will be eclipſed, the Number of our Nobility will encreaſe, our Commons will be oppreſſed, our Parliaments will be influenced by *England*, the Execution of our Laws will be neglected, our Peace will be interrupted by Factions for Places and Penſions, Luxury together with Poverty (tho' ſtrange) will invade us, Numbers of *Scots* will withdraw themſelves to Foreign Countries, and all the other Effects of Bad Government muſt neceſſarily attend us.

Let us therefore, *my Lord*, after all theſe Conſiderations, approve this Article: And when the whole Treaty ſhall be duly examined and ratified, I'm hopeful this Parliament will return their moſt Dutiful Acknowledgments to Her Majeſty for Her Royal Endeavours in promoting a Laſting Union betwixt Both Nations.

During the Debate, Whether the Security of the Church, or the Firſt Article for Uniting Both Nations into One Kingdom, under the Name of *Great Britain*, ſhould have the Preference; it was urged, that according to the laudable Cuſtom of this Kingdom, as appear'd by their Ancient Acts of Parliament, the Church had always the Preference to every thing elſe. There had been Endeavours likewiſe

uſed in the Commiſſion of the General Aſſembly, to poſſeſs them with Apprehenſions of the Danger of the Church from Twenty-ſix Biſhops being in the Parliament of *Great Britain*, where their Church could have none to repreſent her, from the *Engliſh* Sacramental *Teſt*, and from the *Oath of Abjuration*, by which they muſt approve that Part of the Limitations which obliged the Sovereign to be of the Church of *England*, &c. Notwithſtanding all which, it was Criminal, by the Law of *England*, to ſay the Prince and Parliament had no Power to alter the Succeſſion: Upon which they would have carried things in the Commiſſion againſt an Incorporating Union, but were prevented by the Elders: And in Order to make the Church eaſie, there were ſome who promis'd that when the Article for the Incorporating Union paſs'd, they ſhould have an irritant Clauſe to make the Union void, in caſe the Parliament of *Great Britain* ſhould in time to come alter the preſent Government of the Church of *Scotland*. However, many of the Miniſters and zealous Presbyterians expreſs'd their Diſpleaſure that the Security of the Church had not the Preference. When the Vote was preſs'd for Approving the Firſt Article of the Union, a Duke ſpoke very boldly againſt putting it to the Vote without giving the Members Time to conſider of it, which, he ſaid, was their Priviledge: Upon this it was delayed till another Day.

On the 4th the Firſt Article of the Union was again read, and after ſome further Debate upon it, a Reſolve was offered, and given in to the Houſe by the Marquiſs of *Annandale*.

Which being read and debated, the Vote was ſtated, Approve of the Firſt Article of Union or not: But before the Vote the Duke of *Athol* gave the following Proteſtation.

'I *John* Duke of *Athol*, Proteſt for my ſelf, and 'all others who ſhall adhere to this my Pro-'teſtation, that an Incorporating Union of the 'Crown of *Scotland* with the Crown of *England*,

and

‘ and that Both Nations ſhould be repreſented by
‘ One and the Same Parliament, as contained in the
‘ Articles of the Treaty of Union, is contrary to
‘ the Honour, Intereſt, Fundamental Laws and
‘ Conſtitution of this Kingdom, the Birthright
‘ of the Peers, the Rights and Priviledges of the
‘ Barons and Burroughs, and *Act* 130. Parl. 8. *Ja.*
‘ VI. by which it is ordained, that none of the
‘ Lieges preſume or take upon them to impugn
‘ the Dignity and Authority of the Three Eſtates
‘ of Parliament, or to ſeek or procure the Innova-
‘ tion or Diminution of the Power and Authori-
‘ ty of the ſaid Three Eſtates, under the Pain of
‘ Treaſon; and is contrary to the Claim of Right,
‘ Property and Liberty of the Subjects: And the
‘ Third Act of Her Majeſties Parliament 1703.
‘ by which it is declared High-Treaſon in any of the
‘ Subjects of this Kingdom, to quarrel or impugn,
‘ or endeavour by Writing, Malicious and Adviſed
‘ Speaking, or other open Act or Deed, to alter
‘ or innovate the Claim of Right, or any Arti-
‘ cle thereof; and therefore do deſire that this
‘ my Proteſtation be marked in the Records of
‘ Parliament.

The ſame Day a Vote was ſtated in theſe Terms, ‘ Approve of the Firſt Article of the ‘ Union in the Terms of the Motion mention'd ‘ in the preceeding Day's Minutes, *viz. That if* ‘ *the other Articles of Union be not adjuſted by the* ‘ *Parliament, then the Agreeing to and Approving of* ‘ *the Firſt ſhall be of no Effect*; and that imme- ‘ diately after the ſaid Firſt Article the Parliament ‘ will proceed to an Act. *For the Security of the* ‘ *Doctrine, Diſcipline, Worſhip and Government of* *the Church, as by Law Eſtabliſhed within this King-* *dom:* And it carried *Approve* in the Terms of the above Motion: And the Liſt of the Members, as they Voted *Pro* and *Con*, Ordered to be Printed.

It would be an endleſs thing to repeat the Addreſſes which were induſtriouſly procured from ſeveral Parts and Communities of the Kingdom againſt

gainſt an Incorporating Union, and the Proceedings in relation to them, therefore we ſhall proceed to the Material Points only.

On the 12th the Parliament proceeded to the further Conſideration of the Act for Security of the Kirk, *&c.* within that Kingdom; and the 4th Clauſe thereof being again read, it was moved that a Clauſe ſhould be added in theſe Terms, 'And that they ſhall be capable of any Office, Civil 'or Military, and to receive any Grant or Gift, 'and to have Command, or Place of Truſt, from 'and under the Sovereign, within any Part of '*Great Britain*. And after Debate thereon it was put to the Vote, *Add* or *Not*; and it was carried *Not*, and the Clauſe as it ſtood agreed to. And then the 3d Clauſe of the Act was read; and being amended, was agreed to: And the next Clauſe being alſo again read and amended, was likewiſe agreed to. Whereupon the whole Act was again read, as alſo the Repreſentation of the Commiſſion of the General Aſſembly, and a Vote ſtated Approve of the Act or not, but before Voting, the Lord *Beilhaven* gave in a Proteſtation in theſe Terms, 'That he did proteſt in his own, and in Name of 'all them that ſhould adhere to him, that this 'Act was no valid Security to the Church in 'caſe of an Incorporating Union; and that the 'Church could have no real and ſolid Security 'by any manner of Union, by which the Claim 'of Right is unhinged, our Parliament incorporated, and our diſtinct Sovereignty and Independency entirely aboliſhed: Which being read, 'he took Inſtruments thereon, and adhered there-'unto.

Then the Vote was put, approve or not, and carried approve; and it was carried on the 14th that the Second Article of the Union ſhould have the Preference, and be conſidered before any of thoſe relating to Trade, Taxes, *&c.* But I ſhould have taken Notice before, that when on the 12th the Clauſe was offered by my Lord *Beilhaven* for exempting

ing *Scots-Men* from the Sacramental Teſt through all the Dominions of *Britain*, thoſe who were againſt the Clauſe ſaid it was a Thing out of their Power, and not reaſonable to ſuppoſe that *England* would grant. To which it was replied by thoſe of the other Side, that the Deſign of an Union was Equality, but this was the greateſt Inequality imaginable; for the *Engliſh* were free to poſſeſs Places in *Scotland* without any ſuch Impoſition, but they were excluded from Places in *England* without taking the ſaid Teſt; and that though the *Engliſh* thought the Teſt a good Security for their Church, it was not reaſonable that they, being a Part of the ſame United Kingdom, and obliged to maintain the *Presbyterian* Government there, ſhould therefore be excluded from the Prince's Favour in any Part of the United Kingdom. However the Clauſe was thrown out by 39 Votes; and then the other Clauſes being adjuſted, the Act for the Security of the Church paſs'd by a great Majority, many of the Cavaliers not thinking themſelves concerned to Vote in the Matter. The Duke of *Hamilton*, the Duke of *Athol*, Marquiſs of *Annandale*, Earls of *Errol*, *Mariſchal*, *Wigton*, and others, adher'd to the Lord *Beilhaven*'s Proteſtation, that the Act was no ſufficient Security to the Church.

The Repreſentation of the Commiſſion of the generally Aſſembly, repreſenting the Increaſe of Popery, Prophanity, *&c.* and craving the ſame might be reſtrain'd, and that the Succeſſion to the Crown might be Eſtabliſh'd in the Proteſtant Line, was read, and remitted to the Committee for Calculating the Equivalent, to do therein as they found juſt.

Then the 2d Article was again read, and it was moved that the Parliament ſhould proceed to ſettle the Succeſſion upon Regulations and Limitations, in the Terms of the Reſolve mentioned in the Minutes the 4th Inſtant, and not in the Terms of the 2d Article of the Union. Mov'd alſo to Addreſs Her Majeſty, and to lay before Her the

the Condition of the Nation, and the Averſion in many Perſons to an Incorporating Union; and to acquaint Her Majeſty of their Willingneſs to ſettle the Succeſſion in the Proteſtant Line upon Limitations; and in order thereunto that ſome Receſs be granted. And after ſome Debate on thoſe Motions a Vote was propos'd, Approve the 2d Article of Union in the Terms of the Preliminary Motion or not; and after ſome further Debate there was a 2d State offered, Addreſs or not. Then it was put to the Vote, whether the 1ſt or 2d ſhould be the State of the Vote, and it carried the Firſt.

But it being mov'd that ſome further Reaſoning ſhould be allow'd before the Vote, after ſome Debate it was agreed that the *Engliſh* Acts of Parliament in the 2d Article of Union be read, and that immediately after a Vote ſhould be ſtated proceed to call the Vote or Delay. And accordingly the ſaid *Engliſh* Acts of Parliament were read, and thereupon the Vote was ſtated, Proceed to call the Vote for approving the 2d Article or Delay, and carried Proceed. Then the Vote was put, Approve the 2d Article in the Terms of the Preliminary Motion, yea or no.

But before Voting the Earl *Mariſchal* gave in a Proteſt, whereby he did proteſt for himſelf, and all thoſe who ſhould adhere to his Proteſtation, that no Perſon can be deſign'd a Succeſſor to the Crown of this Realm after the Deceaſe of Her Majeſty, (whom God long Preſerve,) and failing Heirs of Her Body, who is Succeſſor to the Crown of *England*, unleſs that in this preſent Seſſion of Parliament, or any other Seſſion of this or any enſuing Parliament, during Her Majeſties Reign, there be ſuch Conditions of Government ſettled and enacted as may ſecure the Honour and Sovereignty of this Crown and Kingdom, the Freedom, Frequency and Power of Parliament, the Religion, Liberty and Trade of the Nation, from

from *Engliſh* or any Foreign Influence; which being read, he took Inſtruments thereon.

And it was agreed that the Liſt of the Members ſhall be printed, as they Vote Approve or not, and they who adhere to the Proteſt ſhould be mark'd. The Vote was put, Approve or not, and carried Approve.

The Third Article being read, it was moved that the agreeing to the 3d Article of the Treaty, in Relation to the Parliament of *Great Britain*, ſhould not be Binding, nor have any Effect, unleſs Terms and Conditions of an Union of the Kingdoms, and particularly the Conſtitution of the ſaid Parliament; and that the ſaid Terms and Conditions be alſo agreed to and ratify'd by an Act of the Parliament of *England*, the Conſtitution of the Parliament of *Great Britain* being left entire until the Parliament enter upon the 22d Article. It was moved to Proceed to the Conſideration of the 4th, and other Articles of Union, before the 3d, and after reaſoning it was put to the Vote, Proceed to the Conſideration of the 3d Article in the Terms of the ſaid Motion, or Proceed to the 4th Article, and carry'd Proceed to the 3d.

Accordingly the Parliament proceeded to the Conſideration of the 3d Article, and after long Debate upon it, a Vote was ſtated, Approve of the 3d Article in the Terms of the ſaid Motion or not.

But before Voting the Marquiſs of *Annandale* gave in a Proteſt, and craved that the Narrative of the Reſolve, inſerted in the Minutes of the 4th Inſtant, might be prefixed thereunto.

Then the Vote was put Approve of the 3d Article in the Terms of the Motion, and carried Approve by 30.

It was late before the Houſe roſe, and the Mob was barbarouſly rude to the Lord High Commiſſioner; for though the Horſe-Guards were round his Grace's Coach, and ſome of the Foot Grena-

diers

diers betwixt the Coach and Horſe-Guards, the Mob threw Stones from ſeveral Corners, ſome of which fell into his Coach, and the Mob preſſed ſo hard upon the Coaches, that they were forc'd to drive full ſpeed down the Streets; and one of his Grace's Pages falling behind was very Ill treated by the Raſcally Crew. Upon which on the 10th the Lord Chancellor acquainted the Parliament that the Lord High Commiſſioner was inſulted the Night before by a Number of Mean People with Stones. The Parliament remitted it to the Committee for examining the Equivalent, to Indemnifie and give Reward for Diſcovery, to Seize and Impriſon any whom they ſuſpected, and to report their Information and their Opinion what Meaſures might be proper for preventing the like. The Parliament did likewiſe recommend to the Lord High Conſtable to proſecute thoſe impriſon'd for a former Tumult, and that the Magiſtrates of *Edenburg* furniſh what Proof againſt them they could. Mov'd that the Parliament proceed to the 4th Article of the Union: Then the Duke of *Athol* mov'd, that before they proceed to the ſaid Article, a Clauſe be added to the 3d Article, that the ſaid Parliament of *Great Britain* ſhould meet, and ſit once in 3 Years at leaſt, in that Part of *Great Britain* now called *Scotland*: And after Debate the Conſideration of it delayed till the Parliament ſhould come to the 22d Article. Then the 4th Article of the Union was read, upon which the Duke of *Hamilton* made a Motion, that all the Regulations and Reſtrictions of the *Engliſh* Trade, the Priviledges of their Companies, *&c.* ſhould be laid before the Houſe; upon which the Debate was by Conſent adjourn'd till next *Sederunt*.

The Fourth Article of Union was again read; whereupon it was moved to take the ſeveral Branches of Trade to be communicated into Conſideration, that it might thereby appear how far the Communication of Trade would be Advantageous

to

to them; and after Reaſoning thereupon, the Vote was ſtated Approve of the IVth Article, reſerving the Conſideration of the ſeveral Branches of Trade till the Parliament concert the ſubſequent Articles, Yea or Not: And it was agreed that the Members ſhall be marked as they ſhall Vote Approve or not; and that the Liſt of their Names, as they ſhall Vote *Pro* and *Con*, be Recorded and Printed. Then the Vote was put, Approve or not, and it carried Approve.

Then the Vth Article of the Union was read, whereupon a Propoſal was given in for Explaining and Enlarging the ſame in theſe Terms; 'That 'all Ships or Veſſels belonging to Her Majeſties Sub-'jects of *Scotland*, at the Time of Ratifying the 'Treaty of Union of the Two Kingdoms in the 'Parliament of *Scotland*, though Foreign Built, 'ſhall be deemed and paſs as Ships of the Build-'ing of *Great Britain:* The Owner, or where there 'are more Owners, One or more of the Owners, 'within Twelve Months after the Union, making 'Oath, that at the Time of Ratifying the Treaty 'of Union in the Parliament of *Scotland* the ſame 'did in Whole or in Part belong to him or them, 'or to ſome other Subject or Subjects of *Scotland*, 'to be particularly named, with the Place of their 'reſpective Abode; and that the ſame doth then, 'at the Time of the ſaid Diſpoſition, wholly be-'long to him or them: And that no Foreigner, 'directly or indirectly, hath any Share, Part or 'Intereſt therein.

Which being read, it was moved that Six Months more Time ſhould be added to the Time allowed by the Propoſal for Purchaſing Ships or Veſſels. And after ſome Reaſoning upon it, the further Conſideration thereof was delayed till next Sitting, which was on the 23d, when the Vth Article of Union was again read, with the Propoſal for Amending, Explaining and Enlarging the ſame, inſerted in the former Days Minutes, and rectified thus, *viz.* 'That all Ships or Veſſels belonging to

'Her

'Her Majeſties Subjects of *Scotland*, at the Time 'of Ratifying the Treaty of Union of the Two 'Kingdoms in the Parliament of *Scotland*, though 'Foreign Built, ſhall be deemed and paſs as Ships 'of the Building of *Great Britain:* The Owner, or 'where there are more Owners, one or more of 'the Owners, within Twelve Months after the 'Firſt Day of *May* next, making Oath, that at 'the Time of Ratifying the Treaty of Union in 'the Parliament of *Scotland* the ſame did in All 'or in Part belong to him or them, or to ſome 'other Subject or Subjects of *Scotland*, to be par-'ticularly named, *viz.* the Place of their reſpe-'ctive Abodes; and that the ſame doth then, at 'the Time of the ſaid Depoſition, wholly belong 'to him or them; and that no Foreigner, directly 'or indirectly, hath any Share, Part, or Intereſt 'therein.

And after ſome Reaſoning thereon, there was a Second Propoſal given in for the Amending the Article, in the Terms, by the Lord *Beilhaven*'s, 'That all Ships and Veſſels belonging to Her 'Majeſties Subjects of *Scotland*, at the Time of 'Ratifying the Treaty of Union of the Two 'Kingdoms in the Parliaments of Both King-'doms, ſhall, *&c.* And after ſome Debate the Vote was ſtated, Approve of the Firſt Paragraph of the Vth Article, with the Firſt Amendment or Second; and it carried Approve with the Firſt Amendment.

Thereafter the remainder of the ſaid Vth Article of Union was read, and a Propoſal given in by his Grace the Duke of *Hamilton*, for adding a Clauſe in theſe Terms, 'That for the Space of Seven Years, 'from and after the concluding the Treaty of U-'nion in both Kingdoms, it is expreſly Agreed, 'that none of the Seamen or Mariners on Board 'any of the Ships belonging to the Subjects of that 'Part of United *Britain*, now call'd *Scotland*, ſhall 'either at Home or Abroad be Preſs'd from on 'Board their ſaid Ships, to ſerve in any of Her Ma-

'jeſties

' Majeſties Ships of War, or Frigots: And in caſe af- 1706.
' ter the ſaid Seven Years it ſhall happen that there
' be a Levy of Seamen in United *Britain*, that Part
' now call'd *Scotland* ſhall only be burden'd with ſuch
' Proportion as our Taxes bear in Proportion to
' that Part of United *Britain* now call'd *England*, but
' without prejudice to the Officers of Her Majeſty's
' Ships or Fleet, to engage as many Volunteer Sea-
' men in their Service as they can agree with in
' this Part of United *Britain*; and this Article to
' be unalterable by any ſubſequent *Britiſh* Parlia-
' ment. Which being read, after ſome Reaſoning thereupon it was put to the Vote, Add the Second Clauſe, or Not; and carried Not. Thereafter the Remainder of the ſaid Vth Article being again read, the Vote was put, Approve thereof, or Not; and it carried Approve. Then the Lord Chancellor, by Order of Her Majeſties High Commiſſioner, Adjourn'd the Parliament till *Tueſday* following.

On the 26th, *An Act for Encouraging of Victual*, (*Corn*,) and another *for Encouraging the Exportation of Victual, Fiſh, Beef and Pork*, were read, and ordered to be Printed.

Then the Vth Article of Union was read; and after Reaſoning thereon, it was moved, ' That
' there ſhould be a Scheme laid before the Parlia-
' ment of the whole Branches of their Trade, as
' to Export and Import: And after ſome further Debate, a Propoſal was given in, *viz.* ' That the
' Article ſhould be Agreed to except ſo far as it
' ſhould be rectified by the Parliament in the Con-
' ſideration of the ſubſequent Articles. As alſo another Propoſal was given in, ' That ſeeing by
' the Laws of *England* there were Rewards given
' upon Exportation of ſeveral Kinds of Grain,
' wherein Oats was not ſpecified, that after the
' Union, when Oats ſhould be at 15 *s. per* Quarter,
' or under, there ſhould be paid 2 *s.* 6 *d.* for every
' Quarter of Oat-meal, Exported in the Terms of
' the Laws, whereby the Terms were Granted
' for Exportation of the Grains; and in reſpect

' there was a Duty upon Oats Imported into *Eng-*
' *land*, but no Duties upon Oat-meal, the Import-
' ing of which was a Prejudice and a Diſcou-
' ragement to Tillage; therefore, that from and
' after the Union, the Quarter of Oat-meal ſhould
' be deemed equal to Three Quarters of Oats, and
' Duty according as when Imported to *Scotland*,
' from any Place whatſoever from beyond the
' Sea. Which being all read, after Reſoning, it
was mov'd, ' That the Obſervations, in relation
' to the Ballance of Trade, ſhould be laid before
' the Parliament, as made by the Council of
' Trade. And after Debate thereon, the further
Conſideration was delayed till the next Sitting;
when 'twas Order'd, ' That the Obſervations made
' by the Council of Trade ſhou'd be laid before the
' Parliament.

During the Debate on the VIth Article, which brings them under the ſame Cuſtoms with *England*, it was argued by ſome Members, ' That it was
' hard to enter upon ſuch a General, until they un-
' derſtood the ſeveral Branches of their Trade, and
' how they agreed with the Impoſitions of *England*.
This Point was argued by the Duke of *Hamilton*, Marquiſs of *Annandale*, &c. The Marquiſs argu'd,
' That in the Treaty of 1062 they were allowed
' to be under their own Regulations, and to have
' a Book of Rates for themſelves; upon which
' many of the Members thought it hard they
' ſhould not be allowed the ſame now. And it be-
ing alſo urged, ' That the Committee of Parlia-
' ment, appointed for a Council of Trade laſt Seſ-
' ſion, had prepared an Account of the ſeveral
' Branches of their Trade, and where the Ballance lay;
it was ordered, ' That their Report ſhould be laid
' before the Houſe.

On the 27th the VIth Article of Union was again read, and a Propoſal given in for adding the Word (*Draw-Backs*) to both Clauſes of the ſaid Articles, which was Agreed to.

And the ſaid Article alſo amended was again read, as alſo the Propoſal mention'd in the laſt Mi-

Minutes, in relation to Oats and Oat-meal, with the Addition of a further Clauſe, in theſe Terms, 'And that the Beer of *Scotland* ſhould have the 'Rewards and Draw-backs as Barley. And it was likewiſe moved, 'That another Clauſe ſhould 'be added, allowing the like Draw-back on the 'Exportation of Oat-meal, as is allowed on the Ex-'portation of Rye in *England*. And after Debate, it 'was Agreed, that the VIth Article, with the Propo-'poſals for Amendments, ſhould be remitted to a 'Committee.

Several Clauſes were offered to be added to the ſaid VIth Article; then the VIIth Article of Union was read and being debated on the 28th, a Propoſal was made for an Explanation or Addition thus, 'That 'the 34 Gallons *Engliſh* Barrel of Beer or Ale, a-'mounting to 12 Gallons *Scots*, preſent Meaſure, 'ſold in *Scotland* by the Brewer at 9 *s.* 6 *d* Ster-'ling, excluding all Duties, and retailed inclu-'ding Duties; and the Retailers Profit at 'at 2 *d. per Scots* Pint, or Eighth Part of the *Scots* 'Barrel, be not, after the Union, liable, on Ac-'count of the preſent Exciſes upon exciſea-'ble Liquors in *England*, to any higher Impoſition 'than Two Shillings Sterling upon the 34 Gallons '*Engliſh* Barrels, being 12 Gallons, the preſent '*Scots* Meaſure. Some other Clauſes were offer'd, 'and after ſome Debate the Vote was ſtated, 'Approve of the VIIth Article, as to the Exciſe of 'Ale and Beer, with the Explanation as contained 'in the Firſt or Laſt Clauſe above-mention'd; and carried for the Firſt.

On the 29th it was moved, that the Obſervations made by the Council of Trade, in relation to the Export or Import of this Nation, and Ballance of our Trade, ſhould be laid before the Committee, to whom the Sixth Article of the Union was remitted, and the ſame was accordingly ordered. As alſo the Clerks of the ſaid Council of Trade were ordered to tranſmit to the ſaid Committee all Obſervations, Papers and Records relating thereunto.

Then the Lord Chancellor acquainted the Parliament, that the Secret Council at their laſt Meeting

ing had under their Conſideration ſeveral Accounts of irregular and tumultuary Meetings by ſome People of the Common and Meaneſt Degree in Arms, and of Abuſes committed by them at *Glaſcow*, *Kirkubright* and *Dumfreis*, and ſeveral Places of *Lanarkſhire*; and that there were Papers dropt, inviting People to take up Arms, and to provide Ammunition and Proviſions in order to their marching to diſturb the Parliament. All which he was directed by the Secret Council to lay before the Parliament, to the Effect proper Methods might be reſolved upon, for preventing the Evil Conſequences of ſuch Practices; after which he preſented a Letter from the Magiſtrates of *Dumfries* to Her Majeſties Advocate, bearing an Account of the Abuſes and tumultuary Meeting in that Place, with a Declaration emitted by thoſe who met, which was affixed on the Market Croſs of *Dumfreis*, and both were read.

Whereupon a Draught of a Proclamation to be emitted by the Parliament againſt all tumultuary and irregular Meetings and Convocation of the Lieges was preſented and read; and after ſome Diſcourſe thereupon, it being objected that it did not appear that there was a particular Information of any tumultuary Meetings or irregular Convocations in any other Part of the Shire of *Lanark* than at *Glaſcow*, Her Majeſties High Commiſſioner thereupon was pleas'd to notifie to them, that he had Information not only from *Glaſcow* and *Dumfries*, but alſo from ſeveral Places in *Lanarkſhire*, of tumultuary and irregular Meetings of Men under Arms, and of their giving out and publiſhing their Deſign of marching to diſturb the Parliament.

The Proclamation being approved of, the Draught of an Act ſuſpending the Effect of that Clauſe in the Act of Security, for Arming and Exerciſing the Fencible Men, paſt in the ſecond Seſſion of this Parliament, and that during this Seſſion of Parliament alenarly, was read and paſt on the 30th, and the ſame Proclamation mentioned before were order'd to be forthwith Publiſhed and Printed.

Then

Then the 7th Article of Union was again read, and after reaſoning upon that Part thereof not formerly approved, is was put to the Vote Approve of the reſt of the 7th Article, or not; and carried Approve.

A Print was then given in, Intituled, *An Account of the Burning of the Articles of Union at* Dumfries, bearing the Declaration read and affix'd at the Market Croſs thereof by the Tumult aſſembled on that Occaſion: And it being moved, that Enquiry be made who had been the Printer and Ingiver of the ſaid Scurrilous Paper, and that the Print be burnt by the Hand of the Hangman, it was remitted to the Committee, to whom the 6th Article of Union was remitted, to call for the Magiſtrates of *Edenburgh*, and to take Trial and make Enquiry anent the Printer and Ingiver of the ſaid Paper. They order'd alſo, That the ſaid Scurrilous Print ſhould be burnt by the Common Hangman.

An Account of the Burning of the Articles of the Union at Dumfries.

'Theſe are to notifie to all concern'd, what are our 'Reaſons for, and Deſigns in the Burning of the 'Printed Articles of the Propoſed Union with '*England*, with the Names of the Commiſſioners, Subſcribers thereof; together with the 'Minutes of the whole Treaty, betwixt them 'and the *Engliſh* Commiſſioners thereanent.

'WE have herein no Deſign againſt Her Majeſty, 'nor againſt *England*, or any *Engliſh*-man; 'neither againſt our preſent Parliament, in their 'Acts or Actings, for the Intereſt, Safety and So'vereignty of this our Native and Antient Nation: 'But to teſtifie our Diſſent from, Diſcontent with, 'and Proteſtation againſt the Twenty-five Articles 'of the ſaid Union, ſubſcribed by the foreſaid Com'miſſioners, as being inconſiſtent with, and altoge'ther prejudicial to, and utterly deſtructive of this 'Nation's Independency, Crown-Rights, and our 'Conſtitute Laws, both Sacred and Civil, we ſhall 'not here condeſcend to enter upon the particular 'Prejudices that do, and will redound to this Nation,

' if the ſaid Union ſhould be carried on, according to
' the Printed Articles, but refer the Reader to the
' Variety of Addreſſes, given in to the preſent Parlia-
' ment, by all Ranks, from almoſt all Corners of this
' Nation, againſt the ſaid Union: Only we muſt ſay
' and profeſs, that the Commiſſioners for this Na-
' tion have been either Simple, Ignorant, or Trea-
' cherous, if not all Three, when the Minute of
' the Treaty betwixt the Commiſſioners of Both
' Kingdoms are duly Conſider'd; and when we
' compare their daſtardly Yeildings unto the De-
' mands and Propoſals of the *Engliſh* Commiſſio-
' ners; who, on the contrary, have valiantly acquit-
' ed themſelves for the Intereſt and Safety of their
' Nation.

' We acknowledge it is in the Power of the pre-
' ſent Parliament to give Remiſſions to the Subſcri-
' bers of the foreſaid Articles; and we heartily wiſh
' for a good Agreement among all the Members of
' the Parliament, ſo as it may tend to the Safety
' and Preſervation of both Church and State, with
' all the Priviledges belonging thereto, within the
' Kingdom of *Scotland*.

' But if the Subſcribers of the foreſaid Treaty
' and Union, with their Aſſociates in Parliament,
' ſhall preſume to carry on the ſaid Union, by a Su-
' pream Power, over the generality of this Nation,
' then, and in that Caſe as we judge, that the
' Conſent of the generality of the ſame can only
' Diveſt them of their Sacred and Civil Liberties,
' purchaſed and maintained by our Anceſtors with
' their Blood, ſo we proteſt, whatever Ratification
' of the foreſaid Union may paſs in Parliament, con-
' trary to our Fundamental Laws, Liberties and
' Priviledges, concerning Church and State, may not
' be binding upon the Nation, now, nor at any
' time to come: And particularly we proteſt a-
' gainſt the Approbation of the Firſt Article of the
' ſaid Union, before the Priviledges of this Nation,
' contain'd in the other Articles had been adjuſted
' and ſecured: And ſo we earneſtly require, that
' the Repreſentatives in Parliament, who are for our

' Na-

' Nation's Priviledges, would give timeous Warning
' to all the Corners of the Kingdom, that we and
' our Posterity become not Tributary and Bond-
' slaves to our Neighbours, without acquitting our
' selves as becomes Men and Christians: And we
' are confident that the Soldiers now in Martial
' Power have so much of the Spirits of *Scotch*-men,
' that they are not Ambitious to be disposed of
' at the Pleasure of another Nation: And we here-
' by declare that we have no Design against them
' in this Matter.

' This was publickly read from the Mercat Cross
' of *Dumfries* about One of the Clock in the
' Afternoon, the 20th Day of *November* 1706,
' with great Solemnity, in the Audience of
' many Thousands, the Fire being surrounded
' by double Squadrons of Foot and Horse in
' Martial Order: And after the Burning of the
' said Books, (who were holden up, burning on
' the point of a Pike, to the View of all the
' People, giving their Consent by Huzza's
' and chearful Acclamations, a Copy hereof
' was left affixed on the Cross, as the Testi-
' mony of the South Part of this Nation against
' the proposed Union, as moulded in the print-
' ed Articles thereof; this we desire to be
' printed and kept on Record, *ad futuram Rei*
' *memoriam.*

After the reading this Scurrilous Paper, it was mov'd that Enquiry should be made after the Printer and Publisher; that the Print should be burnt by the Hand of the Common Hangman; then the 8th Article of the Union was remitted to the Committee, to whom the 6th Article was remitted.

These tumultuous Proceedings from the disaffected Party in *Scotland* were not capable of obstructing the good meaning of the Parliament, who earnestly pushed on the Good Work before them, in which we shall leave them a little, and attend the Meeting of the Parliament of *England*.

On the 3d of *December* they met at *Westminster*, to whom Her Majesty made the following most Gracious Speech.

My Lords and Gentlemen,

'I Hope we are all met together at this Time with 'Hearts truly Thankful to Almighty God for the 'Glorious Succeſſes with which He has Bleſſed Our 'Arms, and thoſe of the Allies, through the whole 'Courſe of this Year, and with Serious and Steady 'Reſolutions to Proſecute the Advantages We have 'Gain'd, till We reap the Deſired Fruit of them 'in a Honourable Peace.

'The Goodneſs of God has brought this Happy 'Proſpect ſo much nearer to Us, that if We be not 'wanting to Our ſelves, We may, upon good 'Grounds, Hope to ſee ſuch a Ballance of Power 'Eſtabliſh'd in *Europe*, that it ſhall no longer be at 'the Pleaſure of One Prince to diſturb the Repoſe 'and Endanger the Liberties of this Part of the 'World.

'A Juſt Conſideration of the preſent Poſture of 'Affairs, of the Circumſtances of Our Enemies, 'and the good Diſpoſition of our Allies, muſt needs 'Excite an uncommon Zeal, and Animate Us to 'Exert Our Utmoſt Endeavours at this Critical 'Conjuncture.

Gentlemen of the Houſe of Commons,

'As I am fully perſwaded You are all of this 'Mind, ſo I muſt Earneſtly Deſire You to Grant 'Me Supplies ſufficient for Carrying on the War 'next Year in ſo Effectual a Manner, that We may 'be able to Improve everywhere the Advantages 'of this Succeſsful Campaign: And I aſſure You I 'ſhall make it my Buſineſs to ſee all that you Give 'Applied to thoſe Ends with the greateſt Care and 'Management.

My Lords and Gentlemen,

'In purſuance of the Powers Veſted in Me by 'Act of Parliament, both in *England* and *Scotland*, 'I have appointed Commiſſioners to Treat of an 'Union between the Two Kingdoms; and tho' this 'be a Work of ſuch a Nature as cou'd not but be 'attended with great Difficulties, yet ſuch has been 'the Application of the Commiſſioners, that they 'have concluded a Treaty which is at this Time

'before

' before the Parliament of *Scotland*; and I hope the ' Mutual Advantages of an Entire Union of the ' Two Kingdoms will be found ſo apparent, that ' it will not be long before I ſhall have an Oppor- ' tunity of acquainting you with the Succeſs which ' it has met with there.

' Your Meeting at this Time being later than ' uſual, I cannot conclude without earneſtly Re- ' commending to you to give as much Diſpatch ' to the Publick Affairs as the Nature of ' them will admit, it being of the greateſt Conſe- ' quence that both our Friends and our Enemies ' ſhou'd be fully convinced of your Firmneſs, and ' the Vigour of your Proceedings.

To which the Houſes return'd their Humble Addreſſes, full of Dutiful and Loyal Expreſſions; and indeed their Extraordinary and Unanimous Proceeding, as well as the Satisfaction of the Queen and People therein, is hardly to be expreſs'd, as we may find by Her Majeſties Speech to Both Houſes on the 21ſt of *December*, which cou'd not but promote the higheſt Senſe of Joy and Gladneſs in the Breaſt of every Loyal Subject.

There was another thing equally as Grateful both to the Queen and People, and that was their Generous Proceeding to the Duke of *Marlborough*, who out of a Sence of his Merit humbly Addreſſed Her Majeſty on his behalf, that they might have leave to ſettle and continue his Titles and Honour to his Poſterity by Act of Parliament as the moſt effectual Method to that End. To which Her Majeſty ſignified by Her Gracious Anſwer how acceptable both the Addreſs and the Intent of it were to Her. And that ſhe thought it proper that the Mannor of *Woodſtock*, and the Houſe of *Bleinheim*, ſhould always go along with his Honours, which ſhe left to their Conſideration. The Duke of *Marlborough* being preſent in the Houſe of Lords, took this Occaſion to expreſs the Senſe of the Great and Diſtinguiſhing Honour the Houſe had done him in their Generous Reſolution and Application to Her Majeſty, Requeſting that the ſaid E-

ſtate

ſtate and Houſe of *Bleinheim* might be Limitted to go always along with the Title; which paſs'd *Nemine Contradicente*.

His Grace was likewiſe attended with the Thanks of Both Houſes, and the Lord Keeper, on that Occaſion, made the following Speech to him.

My Lord Duke of *Marlborough*,

I Am commanded by this Houſe to give your Grace their Acknowledgment and Thanks for the Eminent Services you have done ſince the laſt Seſſion of Parliament to Her Majeſty and your Country, together with their Confederates in this juſt and neceſſary War.

Though your former Succeſſes againſt the Power of France, *while it remained unbroken, gave moſt reaſonable Expectation that you would not fail to improve them, yet what your Grace hath perform'd this laſt Campaign has far exceeded all Hopes, even of ſuch as were moſt Affectionate and Partial to their Countries Intereſt and your Glory. The Advantages you have gained over the Enemy are of ſuch a Nature, ſo Conſpicuous in themſelves, ſo undoubtedly owing to your Courage and Conduct, ſo ſenſibly and univerſally Beneficial in their Conſequences to the Confederacy, that to attempt to adorn them with the Colouring of Words would be vain and inexcuſeable, and therefore I decline it; the rather, becauſe I ſhould certainly offend that great Modeſty which alone can and does add Luſtre to your Actions, and which in your Grace's Example has ſucceſsfully withſtood as great Trials as that Virtue has met with in any Inſtance whatſoever; and I beg leave to ſay, that if any thing could move your Grace to reflect with much Satisfaction on your own Merit it would be this, that ſuch an* Auguſt *Aſſembly does with One Voice praiſe and thank you: An Honour, with a Judgment ſo ſure as that of your Grace's, to think rightly of every thing, cannot but prefer to the Oſtentation of a Publick Triumph.*

To which his Grace reply'd as follows, *viz.*

I Eſteem this as a very particular Honour which your Lordſhips are pleaſed to do me; no body in the World can be more ſenſible of it than I am, nor more deſirous to deſerve the Continuance of your Favour and good Opinion.

Her Majeſty having been pleas'd to grant the Standards and Colours taken at *Ramilies* to be hung

up

up in *Guild-Hall*, they were carried on the 19th Inſtant, and his Grace the Duke of *Marlborough* was invited to Dinner in the City, where he was made highly Welcome.

On the laſt Day of this Month, the Day appointed for a Publick Thankſgiving, Her Majeſty went to the Cathedral of St. *Pauls*, attended by Both Houſes of Parliament, the Judges, and the Magiſtracy of the City, all in their Formalities, to give Thanks to Almighty God for the great Succeſſes with which it had pleas'd him to bleſs Her Arms, and thoſe of Her Allies, where the Biſhop of *Salisbury* Preached a moſt Excellent and Florid Sermon on that Great and Glorious Occaſion; and nothing was wanting in the People to expreſs the great Satisfaction they enjoyed in the continual Bleſſings of Her Majeſties Reign.

While the People in *England* are thus rejoicing, and the Parliament (who had already Voted a good Part of the neceſſary Supplies for the Year enſuing) were finiſhing the reſt of the Buſineſs before them, let us return again into *Scotland*, where great Oppoſition was ſtill made to the Union, as well within as without Doors.

On the 3d of *December* ſeveral Addreſſes were given in and read, all againſt an Union with *England* in the Terms of the Articles. The Act for adjourning the Seſſion, or Term, till the Firſt of *January* next, was again read; as alſo the Clauſe, continuing the Sitting thereof from the laſt of *February*, till the laſt Day of *March* next incluſive, incerted in the Minutes of the laſt *Sederunt*; and after Debate it was put to the Vote, Add the Clauſe, or not; and it was carried, Add. And the Clauſe being added, the Vote was put, Approve the Act, or not; and it was carried, Approve. Agreed, That the Act in Favour of the Burgh of *Dundee*, for an Impoſition of Two Penies upon the Pint of Ale and Beer, to be Brewed and Vended within the Bounds, and for the Uſes therein mentioned, be taken under Conſideration, previous to all other Buſineſs. The Council of Trade ordered to meet, and to give in their Obſervations, as to Export and Im-

Import, and Ballance of Trade to the Committee to whom the 6th and 8th Articles were remitted, and that betwixt the next *Sederunt* of the ſaid Committee. Then the 9th Article of Union was read, and after reaſoning thereon, it was mov'd, that Six Months Ceſs ſhall be the Quota of the Tax to be impos'd on *Scotland*, in place of Eight Months agreed to by the ſaid Article; and after Debate thereupon a Vote was ſtated, Approve of the 9th Article, or not; and thereupon a Second State of a Vote offer'd, *viz.* whether Six Months Ceſs, or Eight Months Ceſs, ſhould be the Quota of the Tax to be charged on *Scotland*. Then the Vote was put, which of the Two ſhould be the ſtate of the Vote, Firſt or Second, and it was carried Firſt by 62. Whereupon it was put to the Vote, Approve of the ſaid Ninth Article, or not; and it was carried, Approve.

Thereafter the Tenth, Eleventh, Twelfth, and Thirteenth Articles of Union were all ſeverally read, and ſeparately voted and approved, *nemine contradicente*, except 5 One, and 13 another Vote. The Fourteenth Article of Union read, and the Conſideration thereof delay'd till next *Sederunt*, to be then proceeded upon previous to all other Buſineſs. An Act, adjourning the Seſſion to the Firſt Day of *January* next, and continuing the Sitting thereof from the laſt of *February* to the laſt of *March* next, incluſive, touch'd with the Scepter by Her Majeſties High Commiſſioner in the uſual manner. The Committee appointed to meet the next Day at 9 of the Clock in the uſual Place. Then the Lord Chancellor adjourn'd the Parliament till the 5th of *Decem.*

The Parliament was then acquainted, that the Report of the Committee about the Calculation of the Equivalent remitted to them was ready, and in the Clerk's Hands, and that all Perſons concerned might ſee the ſame, and the Grounds whereupon it proceeds, before the Report were brought in before the Parliament.

Thereafter the 14th Article of Union was again read, and an Amendment and Addition thereto was offered in theſe Terms; and that that Part of the United Kingdom now called *Scotland* ſhall not in all

all time coming be charged with any Malt-Tax, or any other Cuſtoms, Exciſes, Taxes, or any other Burdens or Duties, than thoſe conſented to in this Treaty; and after ſome reaſoning upon the Firſt Part of the ſaid Relation to the Malt-Tax, it was propos'd that the Amendment ſhould be in theſe Terms, with further Proviſion, that any Malt to be made and conſumed within that Part of the United Kingdom now called *Scotland*, ſhall not be charged with any Impoſition on Malt during this preſent War. And after ſome further Debate, the Vote was ſtated whether the Exemption from any Impoſition on Malt ſhall be Temporary or Perpetual; but before Voting it was agreed that the Members ſhall be marked as they Vote, and that the Liſt of their Names ſhall be Printed and Recorded accordingly. Then the Vote was put, whether the Exemption ſhall be Temporary or Perpetual, and it carried Temporary by 32. Thereafter it was propos'd that the Exemption ſhall be during this preſent War; it was alſo propos'd that the Exemption ſhall be for a longer time: And after ſome Debate thereon, the Vote was ſtated, whether the Exemption from any Impoſition on Malt ſhall be during this preſent War, or for a longer time, and carried for the Firſt by my Lord Chancellor's caſting Vote. Then the Article as amended was again read, and the further Conſideration thereof delay'd till next *Sederunt* of Parliament, to be then proceeded upon previous to all other Buſineſs.

The next Day the 14th Article of Union as amended again read; as alſo the Clauſe offered to be added to the ſaid Article, inſerted in the Minutes of the laſt *Sederunt*, as to the Exemption from any other Cuſtoms, Exciſes, Taxes, or other Burthens or Duties than thoſe conſented to in this Treaty; and, after Debate, there were Two States of a Vote propos'd, the Firſt in theſe Terms, Approve of the Articles as amended, or not; and the Second in theſe Terms, Approve or Amend; and before Voting it was agreed that the Members ſhall be marked as they ſhall Vote, and that the Liſt of their Names ſhall be Printed and Recorded accordingly. Then

it

it was put to the Vote which of the Two ſhall be the State of the Vote, Firſt or Second, and it was carried the Firſt by 18. Then the Vote was put, Approve of the Article amended, or not; and it was carried Approve by 38 Votes. Then the Parliament was adjourn'd till the next Day Ten a Clock.

December 7. the 15th Article of Union read, and thereafter the firſt Clauſe or Paragraph thereof again read, as alſo the Report brought in from the Committee for examining the Calculation of the Equivalent.

But it being moved that the Parliament Firſt conſider, whether we ſhall be concerned in the Payment of the *Engliſh* Debts, a Second State was thereupon offer'd, whether we ſhall ingage in the Payment of the Debts of *England*, yea, or not. And after ſome reaſoning thereupon, it was put to the Vote which of the Two ſhould be the State of the Vote, Firſt or Second. But before Voting it was agreed that the Members Votes ſhall be mark'd, and that a Liſt of their Names, as they ſhall Vote, be Printed and Recorded.

And the Lord *Beilhaven* gave in a Proteſt as follows, 'I do Proteſt in my own Name, and in the Name 'of all thoſe who adhere to this my Proteſt, that 'the Voting and Agreeing to the Firſt Clauſe of the '15th Article of the Treaty of Union does no ways 'infer any manner of Conſent or Agreement, that '*Scotland* be liable to the *Engliſh* Debts in general; 'but that it may be lawful to object againſt any 'Branch of the ſaid Debt not already determin'd, 'and he took Inſtruments thereupon, and adher'd 'thereto. Then the Vote was put, Firſt or Second, and it was carried Firſt by 71. After which it was put to the Vote, Approve of the Firſt Clauſe or Paragraph of the 15th Article, or not; and carried Approve by 115. And Her Majeſties High Commiſſioner, and the Eſtates of Parliament, did recommend the Perſons imployed in the Calculation of Equivalent by the Committee, to whom the examining thereof was remitted to the Lords of Her Majeſties Treaſury for a gratification for their Pains.

The

The 10th the 6th Article was again read, as also a Report of the Committee, to whom the same was remitted in the Terms following, *viz.* The Committee of Parliament appointed for considering the 6th Article, and Proposals made in Parliament relating thereunto, having considered the Clause, and written anent the Premiums and Rewards for exporting Victual, are of Opinion that the Clause after-mentioned be added to the Articles of Union, whereof the Tenor follows, *viz.*

'And seeing by the Laws of *England*, notwithstanding there are Rewards granted upon the Exportation of certain kinds of Grain, wherein Oats grinded or ungrinded are not specify'd, that from and after the Union, when Oats shall be at 15 *s.* Sterling *per* Quarter, or under, there shall be paid 2 *s.* 6 *d.* Sterling for every Quarter of the Oatmeal exported in the Terms of the Law, whereby and so long as Rewards are granted for Exportation of other Grain, and that the Beer of *Scotland* have the same Rewards as Barley.

And upon a Motion that the Premium to be allowed should be higher; after a long Debate thereon it was put to the Vote, Approve of the Report, or Alter; and carried Approve.

In the mean time, that the Parliament might have as little Interruption as possible from without, Captain *James Campbel* was ordered to march to *Glascow* with the Troops under his Command, and took a Malster, formerly a Sergeant in the Earl of *Dunbarton*'s Regiment, and one *Montgomery*, Two of the Leaders of the late Mob there, out of their Houses, and brought them to *Edenburgh*; and as they were carrying them to the Castle, some Mob attempted to rescue them on the Castle Hill; but Mr *Campbel* running their Leader through the Shoulder with his Sword, they were immediately dispers'd.

The 6th Article admitted of many Debates, but was at last on the 16th passed with several Additions, Enlargements and Explanations; but before, *viz.* on the 22d, the Parliament ordered, that a Scurrilous Print,

Print, Intitled, *Queries to the Presbyterian Noblemen Barons, Burgesses, Ministers and Commoners in* Scotland, *who are for the Scheme of an Incorporating Union with* England, *according to the Articles agreed upon by the Commissioners of Both Nations*, be burnt by the Hand of the Common Hangman at the Market Cross of *Edenburgh* to Morrow between 11 and 12 of the Clock, and the Magistrates of *Edenburgh* appointed to see the the same punctually done; and remitted to the Committee of Parliament to whom the 6th and 8th Articles of Union were remitted to make Enquiry after the Printer, Author, and Ingiver of the said Scurrilous Paper.

And on the 16th a Scurrilous Print, asserting the Dependency of the Crown and Kingdom of *Scotland* upon that of *England*, was brought in, and several Paragraphs thereof being read, order'd that the same be burnt by the Hand of the Common Hangman at the Market Cross of *Edenburgh* next Morning. The VIIIth Article of the Union took up the Parliament's time from the 17 to the 26th, when 'twas approved, with the several Alterations, Additions and Enlargements made unto it; they went thro' the 15th Article on the 30th, and passed it: The Lord Chancellor on the 17th acquainted the Parliament, 'That notwithstanding 'the several Addresses brought in and presented to 'the Parliament, against an Incorporating Union 'with *England*, in the Terms of the Articles, had 'been under due Consideration during the whole 'Proceeding upon the Articles of Union, yet there 'was now Information that Letters were sent 'through several Corners of the Kingdom, de'siring the Subscribers of these Addresses to 'come in and assemble at *Edenburgh*, upon Pre'tence of waiting the Effect of the said Addresses, 'and of knowing what return the Parliament 'would give them; all which he was directed 'by his Grace, Her Majesties High Commissioner, 'to lay before the Parliament, to the Effect pro'per Measures might be Resolved upon for prevent'ing any Evil Consequences from these Practices.

And

And after ſome Diſcourſe thereupon, a Proclamation was brought in and Read againſt all Meetings and Gatherings of the Subjects, as Unwarrantable and contrary to Law. And upon further diſcourſe as to the Ground of the Information, Her Majeſty's High Commiſſioner was pleaſed to notifie to the Parliament, *That he had Information from ſeveral Corners of the Kingdom, of the great Pains and Methods which had been uſed to procure Subſcriptions to Addreſſes; And to call into* Edinburgh *the Subſcribers, againſt a preciſe Day, to back theſe Addreſſes.* 1706.

And after Debate upon the Druaght of the Proclamation, the Vote was ſtated, ' *Approve* of the Pro-' clamation or Not? It was argued by thoſe who were againſt the Proclamation, *That they knew of no Law to hinder Gentlemen from coming to Town about their ordinary Affairs, unleſs it were in an irregular manner; and if any Irregularity were committed, it was Time enough then to puniſh them, and prohibit them from coming any more.* But it was inſiſted on by thoſe who were for it, *That the Parliament ought to Provide for their own Security:* And being put to the Vote, it was carried for the Proclamation.

The XVIth and XVIIth Articles were Approved of on the 30th of *December*. Then the XVIIIth Article was read, and a Motion was made for making an Additional Clauſe to it, in theſe Words; *And that in making any ſuch Laws, ſpecial Regard be had to Overtures to be preſented to that Parliament by the Lords of Seſſion of* Scotland. And after further Reaſoning, an Overture was given in for adding another Clauſe in theſe Terms; *That all* Scotchmen *be exempted from the* Engliſh *Sacramental Teſt, not only in* Scotland, *but in all Places of the United Kingdom and Dominions thereunto belonging; and that they be declared capable of Offices throughout the whole, without being obliged to take the ſaid Teſt.* And after Debate, it being moved, *That it was not now intire to add the ſaid Clauſe in relation to the Sacramental Teſt, in reſpect of the Vote of Parliament of the Twelfth of* November *laſt, againſt adding the like Clauſe:* After ſome further Diſcourſe

thereon, it was Agreed, *That the ſame ſhould be put to the Vote, and that the Members Vote be marked, and the Liſt of their Names, as they ſhould Vote, be Printed and Recorded, as uſual.*

Then the Vote was put, Whether it was intire to add the Clauſe, or Not? And it carried, Not: Then the Vote was put, Approve the 18th Article, or Not? and carried, Approve by Fifty. An Act for adjourning the Seſſion or Term to the firſt of *February*, given in and Read: Then the 19th Article was Read; and the Conſideration delay'd till the ſecond of *January*, when the 19th Article of Union was again Read, and after Reaſoning on the firſt Clauſe anent the Seſſion or College of Juſtice, a Motion was made for adding a Clauſe in theſe Terms; *And that hereafter none ſhall be named by the Queen of her Succeſſors to be Ordinary Lords of Seſſion, but ſuch who have ſerved in the College of Juſtice as Advocates or Principal Clerks for the ſpace of five Years.* And after Reaſoning it was moved, That Writers to the Signet ſhould be added to Advocates and Clerks; and the Vote being Stated, Approve of the firſt Clauſe of the 19th Article, with the Additional Clauſe or not, (reſerving the Addition of the Writers to the Signet entire,) The Vote was put, Approve or Not? And carried Approve. Then the Vote was put, Add the Writers ſo the Signet to Clerks and Advocates, or Not? And carried Add. The Third, the Qualification of the Advocates and Writers to the Signet was debated: Then the Vote was put, Approve the 19th Article as Amended, or Not? And carried, Approve.

On the Sixth, The Twentieth Article was Read, and it was moved, that a Clauſe ſhould be added thereto for preſerving the whole Records and Regiſters, both general and particular, and Warrants thereof; and for detaining and keeping them within this Kingdom in all time coming. And after reaſoning thereon, it was agreed, that when the 24th Article falls under Conſideration, a Clauſe to that Effect ſhall be brought in to be added thereto.

Agreed

Agreed, that after the Words, Heritable Offices and Heritable Jurisdictions, the Word SUPERIORITIES be added to the said Article: And the Article being read over with the said Addition, the Vote was put, Approve the 20th Article of Union, or Not? And it carried, Approve.

Then the Twenty-first Article of Union was read: And after reasoning it was moved to add a Clause thereto in these Terms, *subject nevertheless to such Alterations as the Parliament of Great-Britain shall think fit.* And After further reasoning thereon, two States of a Vote were offered, the first in these Terms, approve the Article or not; the second in these Terms, add the Clause or not: And after some reasoning, which should be the State of the Vote, first or second?

Then the Vote was put which shall be the State of the Vote, 1st or 2d? and it carried first.

Thereafter the Vote was put, approve the 21st Article of Union or not? And carried approve.

Then the 22d Article of Union was Read, and the Consideration thereof delayed till next Sederunt of Parliament, to be then proceeded upon previous to all other Business.

January 7. The 22d Article of Union again read: Thereafter the first Paragraph thereof, with relation to the Number of Representatives for *Scotland* in the Parliament of *Great-Britain*, was read over again: And after long Debate a Vote was stated, approve of the said Poragraph of the 22d Article, or not? And before Voting it was agreed, that the Members as they Vote be Printed and recorded, and the Lord Chancellor was allowed to be Printed, and Recorded amongst the Approvers. And *George Lockhart* of *Carnwath*, the Duke of *Athol*, the Earl of *Buchan*, the Earl of *Errol*, the Earl *Marshal*, and *Walter Stewart*, Commissioner for the Town of *Linlithgow*, gave in six several Protests, and separately took Instruments thereupon. Then the Vote was put, approve of the 22d Article of the Union or not? and it carried approve by 40 Votes. Then the 2d Para-

graph of the ſaid 22d Article, anent the calling of Repreſentatives from *Scotland* to the Parliament of *Great-Britain*, beginning thus: *And that when Her Majeſty*, &c. and ending thus: *That the Names of the Perſons ſo ſummoned and elected, ſhall be returned by the Privy-Council of* Scotland *into the Court from whence the ſaid Writ did iſſue*, was again read, and after ſome reaſoning, an amendment was offered to be added after theſe words, *according to the Agreement of this Treaty*, viz. *In ſuch manner, as by a ſubſequent Act of this preſent Seſſion of the Parliament of* Scotland *ſhall be ſetled, which Act is hereby declared to be alſo valid, as if it were a part of, and ingroſſed in this Treaty.* And after further reaſoning it was moved, that the way and manner of chuſing the Repreſentatives for *Scotland* to the Parliament of *Great-Britain* be determined; and that a Clauſe to that purpoſe be ingroſſed in this Article. And after debate, the Vote was ſtated, arprove of the 2d Paragraph of the 22d Article as amended by the additional Clauſe, yea or not? Whereupon it being moved to delay the ſaid Vote till next Sederunt of Parliament, a previous Vote was ſtated, proceed or delay? and it carried proceed. Then it was put to the Vote, approve of the 2d Paragraph of the 22d Article of Union, with the amendment in the additional Clauſe yea or not? And the Clauſe with the Amendment being thereupon again read, before Voting, the Earl of *Abercorne* gave in a Proteſt, upon which he took Inſtruments. Then the Vote was put, approve or not, and it carried approved. On the 9th of *June*, the Third Paragraph of the 22d Article was read, and after reaſoning thereon, it was mov'd to add the following Clauſe, viz. *And that the ſaid Parliament of* Great-Britain, *ſhall meet and ſit, once in three Years at leaſt, in that part of* Great-Baitain *now call'd* Scotland. After ſome Debate, the 3d Paragraph was approved without the aforeſaid Clauſe. Then the reſt of the 22d Article was read, and after reaſoning thereon, and reading the Oaths to which it relates, an Overture was given in for an Additional Clauſe, for explaining

ing the word *Limitation*, mention'd in the Oath appointed to be taken by *Stat.* 13. *Will.* 3*d. Chap.* 6. and an Overture given in for Exempting Perſons in any Office or Employ in *Scotland*, from taking the Oath of Abjuration mention'd in the ſaid Article. A Third Overture for a Clauſe offer'd; That ſo long as the Act appointing the Sacramental Teſt ſhall continue in Force in *England*, all Perſons in Publick Truſt within the Limits of *Scotland*, ſhall Swear, and Sign a Formula, thereto ſubjoin'd in manner, and under the Penalty therein mention'd. Then a Vote was ſtated, approve the 22d Article as explain'd, or not? But before Voting it was agreed, That notwithſtanding the Article ſhall be thereby approv'd, it ſhall nevertheleſs be intire, and free thereafter to proceed on the ſaid Overtures next Sederunt, and to give their Sentiments thereon; and it being mov'd to delay the Vote for the approving till next Sederunt, a Previous Vote was Stated, Proceed, or Delay, and carried, Proceed. The Vote again ſtated, approve or not? Agreed. Then the Vote was put, approve the 22d Article or not? And carried approve by Sixteen. On the 10th of *January* the Overtures for Additional Clauſes mention'd the former days ſitting, were ſeverally Voted, and diſapprov'd. The 23d Article was read, and the Conſideration delay'd till next ſitting when the ſaid Article was again read, and after ſome Reaſoning, an Overture was given in for adding a a Clauſe thereto in theſe Terms: *That none of the Peers of* Scotland, *ſhall have Perſonal Protection within* Scotland, *for any Debt owing before the Commencement of the Union.* As alſo another Overture for adding a Clauſe in theſe Terms: *That all Peers in that part of* Great-Britain, *now called* Scotland, *qualified according to Law, ſhall after the Union have right to ſit cover'd in the Houſe of Peers of* Great-Britain, *notwithſtanding, That the Right to give Vote therein, belongs only to the ſaid* 16 *Peers.* And after Reaſoning thereon, and upon two ſeparate motions, The firſt, in Relation to allowing all the Peers of *Scotland*, to ſit upon the Tryal of the Peers of *Great-Britain*;

and the other, in Relation to their Preceding according to their Patents. Thence a Vote was ſtated in theſe Terms: *Approve of the 23d. Article, or Alter, reſerving intire the Conſideration of the two Overtures, and whether the ſame ſhall be added to the Article, and it was carried approve by Fifty two.*

Then the firſt Overture for the ſaid Clauſe, in Relation to Perſonal Protection, was again read, and after Debate; it was put to the Vote, add the Clauſe or not? and carried Not by 35. Then the 2d Overture in relation to the Peers of *Scotland* ſitting cover'd in the Houſe of Peers of *Great-Britain*, was read, and Voted Add it or not? And carried not, by Forty.

Onthe 14th of *January*, the 24th Article was read, whereupon a Memorial was given in for the *Lyon*, King at Arms, in relation to his Precedency: Alſo another Clauſe offer'd to be added, *That the Crown and Scepter, and Sword of State, Records, of Parliaments, and all other Records, Roles, and Regiſters whatever, continue to be kept as they are, in that part of the United Kingdom now call'd* Scotland, *and that they ſhall remain ſo in all Times coming, notwithſtanding the Union.* Which being read, the ſame was agreed to be added, and the Article as amended read over: Then the Vote was put, approve of the 24th Article or not? And carried Approve.

Jan. 16. Draught of the Act ratifying and approving the Treaty of Union of the two Kingdoms of *Scotland* and *England*, read a 2d Time.

Then the Act for Security of the Proteſtant Religion and Presbyterian Church-Government, which is inſert in and ratified by the above Act, was touch'd with the Royal Scepter by Her Majeſty's High Commiſſioner in the Uſual Manner.

Repreſentation and Petition of the Commiſſion of the great Aſſembly of the Church of *Scotland*, craving that there be no Stipulation or Conſent for the Eſtabliſhment of the Hierarchy and Ceremonies of the Church of *England*, by the Act ratifying and approving the Treaty of Union, given in and read.

And

And after reaſoning upon the Act and Repreſentation, the Vote was ſtated approve the Act or not?

And before Voting it was agreed, that the Votes be marked. And the Chancellor was allowed to be marked as an Approver.

Likewiſe the Duke of *Dowglaſs* gave in a Proteſtation for his Privilege of the firſt Vote in Parliament, and took Inſtruments thereon. And the Duke of *Hamilton* gave in a Proteſtation in the contrary, and alſo took Inſtruments thereon. Then the Vote was put, approve the Act ratifying and approving the Treaty of Union of the two Kingdoms of *Scotland* and *England*, yea or not? And carried approve. And the Act was thereafter touched with the Royal Scepter by Her Majeſty's High Commiſſioner in the uſual manner.

The Repreſentation and Petition of the Commiſſion of the General Aſſembly of this National Church of *Scotland*.

Humbly ſheweth,

THAT *we conſidering the Truſt repoſed in us by the late General Aſſembly, find it our Duty to lay before your Grace and Lordſhips, when as we are informed you are about the paſſing of an Act of Ratification of the Articles of the Treaty of Union, betwixt the two Kingdoms of* Scotland *and* England, *which contains theſe following Words, Declaring nevertheleſs, That the Parliament of* England, *may provide for the Security of the Church of* England, *as they think Expedient, to take place within the Kingdom of* England, *and derogating from the Security above provided for eſtabliſhing the Church of* Scotland, *within the bounds of this Kingdom, which ſhall not ſuſpend or derogate from the Force or Effect of this preſent Ratification, but ſhall be underſtood as there included, without any Neceſſity of a new Ratification in the Parliament of* Scotland. *Which Clauſe ſeems to us not only to be like a Blank put with your Grace and Lordſhips Conſent, into the Hands of the Par-*

liament of England, *to enact what they ſhall think fit for ſecuring the Hierarchy and Ceremonies of their Church; but alſo a Conſent, that it be an Article and Fundamental of the Union, and as is contained in your Ratification, cannot but imply a manifeſt Homologation.*

We do therefore humbly beſeech your Grace and Lordſhips that there be no ſuch Stipulation or Conſent, for the Eſtabliſhment of that Hierarchy and Ceremonies as you would not involve your ſelves and this Nation in Guilt; and as you Conſult the Peace and Quiet of this Nation, both in Church and State: We pray that God may Bleſs and Preſerve our Gracious Queen, *and direct your Grace and Lordſhips in this, and all the Great and Momentous Affairs, which are, or may be before you.* *Signed by* W. Wiſhart, *Moderator,*

Thoſe who argued againſt the Clauſe, to which the Petition of the Commiſſion of the General Aſſembly relates, ſaid, *That it was hard to ratifie any thing that the Parliament of* England *might think fit to enact for the Security of their Church Government*, &c. *before they knew what it was.* The Duke of *Hamilton*, before Voting to paſs the Act for Ratification, ſtood up and ſaid, he thought himſelf obliged to ſpeak a few Words, which were to this Effect: *That as he ſhould anſwer to God, that his whole Conduct in this Affair, and all the oppoſition he had made to the Union was truly from his Perſuaſion, that it was contrary to the Intereſt of the Queen, to the Intereſt of the Parliament, and to that of the whole Nation:* And that he declared before God, *That if his late Gracious Sovereign King* Charles II. *to whom he ow'd many Favours, or if his late Sovereign, bountiful Maſter and Benefactor* James VII. *to whom he was greatly indebted for many Favours, had either of them been ſitting upon the Throne, he would have carried himſelf juſt as he had now done.* The Act was carried by 40 Votes, and ſome ſay there were about 20 of thoſe who oppos'd the Union, abſent by Sickneſs and otherwiſe.

The 20th of *January*, it was mov'd to inſert the Repreſentation and Petition of the General Aſſembly

bly of the Church of *Scotland* aboveſaid; but after ſome debate being put to the Vote, it was carried not.

The Act of Ratification.

At Edenburgh, *the Sixteenth Day of* January, *in the Fifth Year of Her Majeſty's Reign, and in the Year of our* LORD *One Thouſand Seven Hundred and Seven, the* Eſtates of Parliament *conſidering that Articles of Union of the Kingdoms of* Scotland *and* England, *were agreed on the Twentieth and Second Day of* July, *One Thouſand Seven Hundred and Six Years, by the Commiſſioners nominated on behalf of this Kingdom under Her Majeſty's Great Seal of* Scotland, *bearing Date the Twentieth and Seventh of* February *laſt paſt, in purſuance of the Fourth Act of the Third Seſſion of this Parliament; and the Commiſſioners nominated on behalf of the Kingdom of* England, *under Her Majeſty's Great Seal of* England, *bearing Dated at* Weſtminſter *the Tenth Day of* April *laſt paſt, in purſuance of an Act of Parliament made in* England *the Third Year of Her Majeſty's Reign; to treat of and concerning an Union of the ſaid* Kingdom, *Which Articles were in all Humility preſented to Her Majeſty upon the Twentieth and Third of the ſaid Month of* July, *and were recommended to this Parliament by Her Majeſty's Royal Letter of the Date the Thirty One Day of* July, *One Thouſand Seven Hundred and Six. And that the ſaid Eſtates of Parliament have agreed to and approven of the ſaid Articles of Union with ſome Additions and Explanation, as is contained in the Articles hereafter inſerted. And ſicklike Her Majeſty, with Advice and Conſent of the Eſtates of Parliament, reſolving to Eſtabliſh the Proteſtant Religion and Presbyterian Church Government within this Kingdom, has paſs'd in this Seſſion of Parliament an Act, Entituled,* Act for Securing the Proteſtant Religion and Presbyterian Church Government, *which by the Tenor thereof is appointed to be inſert in any Act Ratifying the Treaty, and expreſsly declared to be a Fundamental*

Fundamental and Eſſential Condition of the ſaid Treaty or Union in all time coming; therefore Her Majeſty, with Advice and Conſent of the Eſtates of Parliament, in Fortification of the Approbation of the Articles as above-mention'd, and for the further and better Eſtabliſhment of the ſame, upon full and mature Deliberation upon the aforeſaid Articles of Union and Act of Parliament, doth ratifie, approve, and cunfirm the ſame, with the Additions and Explanations contain'd in the ſaid Articles, in Manner and under the Proviſion after mention'd.

We ſhall not inſert the Articles at large, with the Amendments paſs'd in the Parliament of *Scotland*; becauſe the Reader has had a plain view thereof in the ſeveral Debates of Parliament; which Articles being now diſpatch'd to Her Majeſty to be laid before the Parliament of *England*, The Parliament of *Scotland* proceeded to the conſideration of Electing their Repreſentatives, which took up a Debate of ſeveral Days, and at length the Act for that purpoſe was ratified.

Accordingly, on the 13th of *February*, the Parliament proceeded to the Election of the Repreſentatives in the Parliament of *Great-Britain*, and the three States being ſeparate to their uſual Places, they returned and reported their reſpective Elections, which were as follows.

For the Nobility.

James Duke of *Queensberry* Her Majeſty's High Commiſſioner; the Earl of *Seafield* Lord Chancellor, the Marqueſs of *Montroſs* Lord Preſident of the Privy-Council, the Earl of *Marr*, Earl of *Loudoun* Secretaries of State, the Marqueſs of *Tweddale*, Marqueſs of *Lothian*, Earl of *Crawford*, Earl of *Sutherland*, Earl of *Weems*, Earl of *Roxburgh*, Earl of *Leven*, Earl of *Stair*, Earl of *Roſeberry*, Earl of *Glaſgow*, Earl of *Iſlay*. 16.

The Barons.

William Nisbet of *Dirleton*, *John Cockburn* younger of *Ormeſton*, Sir *John Swinton* of that *Ilk*, Sir *William Kerr*

Kerr of *Greenhead*, *Archibald Douglaſs* of *Cavers*, *William Bennet* of *Grubet*, Mr. *John Murray* of *Bowhill*, Mr. *John Pringle* of *Hayning*, *William Morriſon* of *Preſtongrange*, Sir *John Johnſton* of *Weſterhall*, *George Bayly* of *Jerviſwood*, Mr. *John Stewart* of *Sorbie*, Mr. *Francis Montgomery* of *Giffan*, Mr. *William Dalrymple* of *Glenmuir*, Sir *Robet Pollock* of that *Ilk*, *John Hadden* of *Glenagres*, *Mungo Graham* of *Gorthie*, Sir *Thomas Burnet* of *Leyes*, Sir *David Ramſay* of *Balmain*, *William Seaton* of *Pitmedden*, *Alexander Grant* of that *Ilk*, *Hugh Roſs* of *Kilbravoch*, Sir *Kennet Mac Kenzie* of *Cromarty*, Mr. *John Campbel* of *Mawmore*, Sir *James Campbel* of *Auchinbrack*, *John Campbel* of *Arkinlis*, *Alexander Abercromby* of *Glaſſock*, *John Halyburton* of *Pitcure*, *William Douglas* of *Eagleſhaw*, *John Bruce* of *Kinroſs*. 30.

The Burrows.

Sir *Pat. Johnſton*, Lieutenant Colonel *John Erskine*, *Hugh Montgomery*, Sir *John Erskine*, Mr. *Pat. Moncrieff*, Colonel *Pat. Ogilvie*, *James Scott*, Sir *David Dalrymple*, Sir *James Smollet*, Sir *Andrew Hume*, Mr. *John Clark*, Sir *Peter Hacket*, *George Allerdice*, Mr. *Alexander Maitland*, Mr. *Daniel Campbel*.

This being the moſt Material Buſineſs, the Parliament of *Scotland* had to diſpatch, we ſhall leave them ſettling ſome Conſequential matters, and before we follow the Articles of Union into *England*, put a ſhort Period to the Affairs of *Italy*, which is the only Place that affords us any thing to ſay abroad: It is to be remember'd, that we left the War there at a *Criſis*; The Caſtle of *Milan* warmly Beſieg'd, and the *French* Army cloſely pinn'd up in the *Mantuan* and *Cremoneze*, where they were unable to ſubſiſt; and being unwilling to loſe the brave Troops they had in thoſe Parts, they made Propoſals to Prince *Eugene*, in order to the entire Evacuation of that Country: But there Demands being at firſt too high and unreaſonable, they were rejected, and Prince *Eugene* apply'd himſelf with all imaginable Induſtry, to the reducing the Citadel of *Milan*. The Siege was vigouroufly carried, and the Enemy ſeeing they could not hold

hold out the Place long, and that the Reduction thereof wou'd facilitate the reducing of *Cremona* and other Places, thought fit to renew their Propoſals, and at length accepted the Terms offer'd them by Prince *Eugene*; the only conſiderable of which were as follows.

CONDITIONS offer'd to evacuate the Places of Lombardy, *and to withdraw the Troops of the Two Kingdoms into* France.

Article I. ALL the Places poſſeſs'd by the Troops of the Two Crowns ſhall be quitted, and evacuated in the Manner and Time to be agreed, and on the following Conditions. *Agreed.*

II. All the Troops of the Two Crowns, of what Nation ſoever, Horſe, Dragoons, Foot and Huſſars, and generally all the Offices and others that compoſe the *Eſtats Majors* of Places, ſhall march out with their Arms, Baggage and Equipages, Colours flying, with all the Honours of War, in the Condition they are now in; it ſhall be at our choice, to march in large or leſs Bodies, as is hereafter Specified, for the Convenience of the Troops, and they ſhall go by the neareſt Way to *Suza*, without any Damage, Stop or Hindrance, offer'd to them or their Equipages; nor ſhall the Terms to be agreed in the manner following be infring'd under any Pretext whatever. *Agreed.*

III. The Garriſon of *Seſtola* ſhall remove to *Mirandola*, and the Enemy ſhall give a Paſſport for their being ſafely Conducted thither. *That the Garriſon are already Priſoners of War.*

IV. The Garriſon of *Final* ſhall march out the 26th of this preſent Month, with Ten Pieces of Cannon, for *Suza*, by the Rout that ſhall be regulated, and neceſſary Meaſures ſhall be taken for their Security and Subſiſtence to *Suza*. *No more than Four Cannon are granted, that is to ſay, Two of Twelve Pound Ball, and Two of Six, which in Caſe of difficulty to be carried by Land, ſhall be tranſported by Sea. Further, a General-Officer*

Officer and a Commiſſary of War, ſhall be ſent with that Garriſon, to provide for their Security in the March, and for their Subſiſtence.

V. The Garriſon of the Caſtle of *Milan* ſhall march out the 20th of this preſent Month for *Valenza*, where they ſhall join the Garriſon of that Place, to march together directly to *Suza*, with the ſame Circumſtances. *They ſhall march ſtrait to* Navarre, *and join the reſt at* Suza. *The Garriſon of* Velenza *ſhall join that of* Cremona *as it comes that Way; a general Suſpenſion of Arms ſhall be publiſh'd with all ſpeed, in Conſequence of which the Caſtle ſhall give Hoſtages.*

VI. The Garriſon of *Mirandola* ſhall march out the 29th Inſtant, from *Gueltieri*; to join that of *Mantua* the Day it paſſes by there. *Agreed.*

VII. The Garriſon of *Mantua* ſhall march out the 1ſt of *April*, to paſs the *Po* at *Borgoforte* the next day, over a Bridge which we will cauſe to be made, and take the Rout that ſhall be agreed, till they come even with the Bridge of *Cremona*. *Agreed.*

VIII. The Garriſon of *Sabionetta* ſhall march out the 1ſt of *April*, and join that of *Cremona*, by the Roads and Quarters that ſhall be regulated. *Agreed.*

IX. The Garriſon of *Cremona* ſhall paſs the *Po*, over the Bridge of *Cremona*. *Agreed.*

X. All the ſaid laſt Garriſons of *Mirandola*, *Mantua*, *Sabionetta*, and *Cremona*, ſhall join at the end of the Bridge of *Cremona*, to march altogether through the Country of *Piacenza*, the *Milaneſe*, and the Territories of the Duke of *Savoy*, directly to *Suza*, by ſuch Rout and Quarters as ſhall be regulated. *Agreed.*

The other Articles, to the Number of 43, were only Conditions of the March, and other Incidents relating to the Evacuation.

Theſe Articles, and what related to them were accordingly Executed, to the ſurprize of the greateſt part of *Europe*, and not with all the Honour in the World to the Arms of *France* and *Spain*.

Having thus finiſhed Affairs Abroad, let us now return to *England*, and put a General Concluſion to this Hiſtory. Her Majeſty having receiv'd the Articles,

and

and Act of Ratification from *Scotland*, came the 28th of *January* to the House of Lords, and the Commons attending, Her Majesty first gave the Royal Assent to an Act, *For settling upon* John *Duke of* Marlborough *and his Posterity, a Pension of* 5000. l. per Annum, *for the more Honourable support of their Dignities; in like manner, as His Honours and Dignities, and the Honour and Mannor of* Woodstock, *and the House of* Bleinheim, *are already limited and settled:* And likewise to some other Private Acts. After which, Her Majesty made the following Speech, on the Subject of the Union to both Houses.

My Lords and Gentlemen,

HAving Acquainted You at the Opening of this Session, that the Treaty for an Union between England *and* Scotland, *which had been Concluded here by the Commissioners appointed for that purpose, in pursuance of the Powers given by the Parliaments of both Kingdoms, was then under the Consideration of the Parliaments of* Scotland; *I can now, with great Satisfaction, Inform You, that the said Treaty has been Ratified by Act of Parliament in* Scotland *with some Alterations and Additions.*

I have Directed the Treaty agreed to by the Commissioners of both Kingdoms, and also the Act of Ratification from Scotland *to be laid before You, and I Hope it will meet with Your Concurrence and Approbation.*

Gentlemen of the House of Commons,

It being agreed by this Treaty, that Scotland *is to have an Equivalent for what that Kingdom is Obliged to Contribute towards Paying the Debts of* England, *I must Recommend to You, that in case You Agree to the Treaty, You would take care to provide for the Payment of the Equivalent to* Scotland *accordingly.*

My Lords and Gentlemen,

You have now an Oppertunity before You, of putting the last Hand to a Happy Union of the Two Kingdoms, which I hope will be a lasting Blessing to the whole Island, a great Addition to Wealth and Power, and a firm Security to the Protestant Religion.

The

The Advantages which will accrue to Us all from an Union are ſo Apparent, that I will add no more, but that I ſhall look upon it as a particular Happineſs, if this great Work, which has been ſo often Attempted without Succeſs, can be brought to Perfection in My Reign.

Then the Lord *Conſingsby*, acquainted the Houſe, that he had, purſuant to Her Majeſty's Command, the Articles of Union agreed upon by the Commiſſioners, and alſo the Act of Parliament in *Scotland*, for the Ratification of them; and alſo a Copy of the Minute Book of the Proceedings of the ſaid Commiſſioners, to lay before the Houſe; and he deliver'd the ſame at the Table, where the ſaid Articles, and Act of Ratification were read. Reſolv'd, That this Houſe will upon *Saturday* Morning next, reſolve it ſelf into a Committee of the whole Houſe, to conſider of the Articles of Union, and Act of Ratification of them by the Parliament of *Scotland*; and order'd that the ſame be Printed. A Motion being made, and the Queſtion put, That an Humble Addreſs be preſented to Her Majeſty, That ſhe will be pleas'd to give Orders, that the Minutes of the Proceedings of the former Commiſſioners, appointed in the firſt Year of Her Majeſty's Reign to Treat of an Union, may be laid before this Houſe, it paſs'd in the Negative.

Reſolv'd that an Humble Addreſs be preſented to Her Majeſty, returning Her Majeſty the Humble Thanks of this Houſe, for Her moſt Gracious Speech this Day to both Houſes of Parliament, and for Communicating to this Houſe the Articles of Union, and the Act of Ratification, *&c.* And Order'd the ſaid Addreſs be preſented by ſuch Members as are of Her Majeſty's moſt Honourable Privy Council. *Saturday, Feb.* 1ſt, Order'd, That the Articles of Union, and Act of Ratification, *&c.* be referr'd to the Committee of the whole Houſe, who are to conſider of the ſame. Then the Houſe reſolv'd it ſelf into the ſaid Committee; and after ſome Time ſpent therein, Mr. Speaker reſum'd the Chair, and Mr. *Compton* reported from the Committee, *That they had made ſome Progreſs in the Matter*

to

to them referr'd, and had directed him to move that they may have leave to ſit again. And the Conſideration delay'd till *Tueſday* the 4th of *February*, when a Report was made from the Committee, *That they had made a further Progreſs in the Matters to them referr'd, and mov'd for leave to ſit again*, and the Conſideration delay'd till the 8th following. The Houſe reſolv'd it ſelf into a Committee of the whole Houſe, and after ſome Time ſpent therein, Mr. Speaker reſum'd the Chair, and Mr. *Compton* from the Committee reported, *That they had gone through the Matters to them referr'd, and order'd the ſaid report to be reciev'd on* Tueſday *the 11th*, when the ſame being read, they were agreed to by the Houſe as follows.

Reſolv'd, That it be one of the Articles of the Union of the Kingdoms of *England* and *Scotland:*

1ſt. *That the two Kingdoms of* England *and* Scotland, *ſhall upon the firſt Day of* May *next, which ſhall be in the Year* 1707, *and for ever after be United into one Kingdom, by the Name of* Great Britain; *and that the Enſigns Armorial of the ſaid United Kingdom be ſuch as Her Majeſty ſhall appoint, and the Croſſes of St.* George *and St.* Andrew *be conjoin'd in ſuch manner as Her Majeſty ſhall think fit, and us'd in all Flags, Banners, Standards, and Enſigns, both at Sea and Land.* The ſame reſolve paſs'd on the ſecond Article, and ſo ſeparately of all the reſt, and order'd, *That a Bill be brought in purſuant to the ſaid Reſolutions, and that Mr.* Compton, *Mr. Sollicitor General, Mr. Chancellor of the* Exchequer, *Sir* Richard Onſlow, *The Lord* Connigsby, *Lord Marqueſs of* Hartington, *Sir* Joſeph Jekyl, *Sir* William St. Quintin, *and Mr.* Lownds *do prepare and bring in the Bill. Thurſday* 13th Order'd, *That it be an Inſtruction to the Gentlemen, who are appointed to bring in the Bill, That they do inſert the Act for the ſecurity of the Church of* England *as by Law Eſtabliſh'd, and alſo the Act of the Parliament of* Scotland, *for the ſecuring the Proteſtant Religion and Presbyterian Church Government, and that the Lord Marqueſs of* Grandby, *Mr.* Dorrington, *Sir* William Strickland, *and Sir* John Holland, *be added to thoſe who*

who are appointed to prepare and bring in the ſaid Bill. Which was accordingly brought in on the 18th, and read a firſt Time, and order'd to be read a ſecond Time upon the 20th, Order'd, *That it be an Inſtruction to the Committee, That they have Power to inſert in the Bill, the Act of Parliament of* Scotland, *for ſettling the manner of Electing the Sixteen Peers, and Forty-five Members to repreſent* Scotland *in the Parliament of* Great Britain. 1706.

The 28th of *February* the Bill was read the 3d Time, and ſeveral Amendments were made by the Houſe to the Bill, which being paſs'd, it was ſent up to the Lords for their concurrence, where it was not long Debating. However, it did not want for ſome Enemies, (either real or ſeeming ones) as we may ſee by the following Speech, upon reading the Bill.

The Lord *Haverſham's* Speech in the Houſe of Peers.

My Lords,

*WHat my noble * Lord has mention'd to your Lordſhips, occaſions my ſtanding up, I find my ſelf under the ſame Difficulties; I have ſeveral Things to ſay to this Matter of the Union to your Lordſhips, and 'tis very indifferent to me when I offer them.* I have a Right of ſpeaking my Thoughts, and entring my Proteſt too, to any thing I diſlike, and I ſhall certainly find ſome time to do ſo before this matter can paſs into a Law. *I am in your Lordſhips Judgment, Whether you will allow me to ſpeak what I have to ſay, now.*

My Lords, *With what diſpoſition I come hither, I hope may be evidenc'd* by the Motion I made your Lordſhips laſt Year, for Repealing certain Clauſes that were grievous to *Scotland. I would do any thing that were for the Benefit and Good of both Nations.*

Theſe Articles come to your Lordſhips with the greateſt Countenance of Authority, that I think it's poſſible any

* My Lord *Ro*—*r*, made a Speech before.

thing can come; your Commiſſioners have agreed to them; the Scots *Parliament has, with ſome few Amendments, Ratify'd them; and the Queen her ſelf from the Throne Approves of them; and yet you muſt give me leave to ſay,* That Authority, tho' it be the ſtrongeſt Motive to incline the Will, is the weakeſt Argument in the World to convince the underſtanding. *'Tis the Argument the Church of* Rome *makes uſe of, for their Superſtituous Worſhip, where there are ten* Ave-maries to one Pater-noſter; juſt as unreaſonable as if ten times the Application and Addreſs were made *to a She Favourite,* as to the Perſon of the Sovereign, which is a kind of State Idolatry.

I would not, My Lords, *be miſunderſtood as if I were* againſt a Union. A Fœderal Union, a Union of Intereſt, a Union in Succeſſion, is what I ſhall always be for. *Nay, were it whether a People inhabiting the ſame Iſland, ſpeaking the ſame Language, and having the ſame Religion, ſhould be under one and the ſame Form of Policy and Government, I cannot ſee how any Man could be againſt it; but this is a Matter of a quite different Nature; it is, Whether two Nations independant in their Sovereignties, that have their diſtinct Laws and Intereſts, and what I cannot forget, their different Forms of Worſhip, Church-Government and Order, ſhall be United into one Kingdom.*

A Union made up, in my Opinion, of ſo many miſmatch'd Pieces, *of ſuch jarring incongruous Ingredients, that ſhould it ever take effect, I fear it wou'd carry the* neceſſary Conſequence of a ſtanding Power and Force, *to keep us from falling aſunder, and breaking in pieces every Moment: For as my Lord* Bacon *well obſerves, (who I take to have been a very great Man,* though ſometimes the Courtier got the better of the Philoſopher.)

" *A Unity, ſays he, that is piec'd up by a direct Admiſſi-*
" *on of Contraries in the Fundamental Points of it, is like*
" *the Toes of* Nebucadnezar's *Image, which were made*
" *of Iron and Clay;* they may cleave together, but can never incorporate.

Another Reaſon why I am againſt an Incorporating Union, is for the Sake of the good old Engliſh Conſtitution,

tion, *justly allow'd to be the most equal and best poiz'd Government in all the World*; the peculiar Excellence of which lies in that well proportion'd Distribution of Powers, whereby the Greatness of the Monarch, and Safety of the People, are at once provided for. And it is a Maxim in all Policy, That the surest way to preserve any Government, is by a strict Adherence to its Principles: *So that whilst this Ballance of Powers is kept equal, the Constitution is safe; but who can answer what Alteration so great a weight*, as Sixty One *Scots* Members, and those too return'd by a *Scots* Privy-council, when thrown into the Balance, may make?

Besides, my Lords, I must own I am apprehensive of the President, and know not how far it may be carried hereafter, or what Alteration future Parliaments may think fit to make; it is evident, by the two and twentieth Article, that above a Hundred *Scotch* Peers, and as many Commoners, are excluded from Sitting and Voting in the *British* Parliament: *Who perhaps as little thought of being* so a Year or two ago, as any of your Lordships do now; *for they had as much Right by Inheritance of Sitting there, as any one Lord in this House has of Sitting here; and that Right too, as well and as strongly fenc'd and secured to them by the Fundamental Laws of their Kingdom, by Claim of Right, and Act of Parliament*, which made it Treason to make any Alteration in the Constitution of that Kingdom; And yet have they not lost this Privilege? *And* what one security has any Peer of *England*, by the Laws of this Land, to his Right and Privilege of Peerage, that those Lords had not? *My Lords, the Bishops have been Voted out of this House by Temporal Lords already, and who knows what Question may come hereafter? I will venture my Life in Defence of the Church of* England, *and yet at the same time own my self an* Occasional Conformist. *But if my Lords, the Bishops*, will weaken their own Cause so far, *as to give up the two great Points of* Episcopal Ordination and Confirmation; *if they will* Approve *and* Ratify *the Act for Securing the Presbyterian Church Government in* Scotland, as the true Protestant Religion and Purity of Worship, *they give up that*

which has been contended for between them and the Presbyterians this Thirty Years; and which I will undertake to prove to my Lords the Bishops, has been defended by the greatest and learnedst Men in the Church of England. *I hope, when 'tis proper, my Lords will please to give some Light to one who desires* Instruction, *that I may not* ignorantly do any thing to their Prejudice in this Matter.

There is another Reason why I am against this Union, because I cannot think it an entire Union; *the exempted Articles, I mean the Twentieth Article, whereby* Heritable Offices and Superiorities are reserv'd. And also the One and Twentieth; both which *Oliver* by Act of State was so wise as to abolish. Especially their Act for securing the Presbyterian Church-Government, and General Assemblies, seem to me like those little Clouds in a warm calm Summers Day, that are generally the Seeds and Attractives of approching Tempests and Thunder. *I the rather take notice of these, because though the Articles of Union are ratified by the* Scotch *Parliament*, yet the Bulk and Body of that Nation seem to be against them. *Have not the Murmurs of the People there been so loud as to fill the whole Nation? And so bold too, as to reach even to the* Doors of the Parliament? *Has not the Parliament it self thought fit to suspend their beloved Clause in their Act of Security, for Arming their People during their Session? Nay, has not the Government, by Advice of Parliament, set out a Proclamation, which I have here in my Hand,* Pardoning all Slaughter, Bloodshed, Maiming, *&c.* that is committed upon any who are found in any Tumults there, and discharging all Prosecution for the future? *I do not mention this to find fault with any thing that is done in* Scotland, *but only to show to your Lordships, that when such* an unusual Proclamation as this is set out by the Advice of Parliament, and cannot stay the Forms of a Law, *when we know, that upon extraordinary Occasion,* if it be but to grace a Complement, *a Bill may be read three Times in one Day:* Sure, *my Lords*, it shews a very great Ferment that requires so very speedy an Application. *After all,* Has not

not what we desire, I mean, their being upon the same foot of Succession with us, been offer'd without this Union? *In short, my Lords, I think an Incorporating Union one of the most dangerous Experiments to both Nations; in which, if we happen to be mistaken, however we may think of curing things hereafter, the Error is irretrievable.*

My Lords, this is the last time that I believe I shall ever trouble your Lordships in an English Parliament, *give me leave therefore to say but one word.*

In King Charles *the First's time the Cavaliers were the Persons that ventured their Lives, and lost their Estates to serve him. And in King* Charles *the Second's time they were forgot, and left Starving. And at the Restoration, the Presbyterians were as zealous for that as any Men whatever, and none were more Persecuted all his Reign. Towards the latter end of that Reign, the Bishops threw out the Bill of Exclusion, and King* James *put them into the* Tower. *At the Revolution, the* Londonderry-Men, &c. *were the Persons that made the first and noble stop to King* James *in* Ireland; *and I my self have fed some of them at my own Table, when they were Starving, with the greatest Commendations and Promises in their Pockets; which I have seen under King* William's *own Hand. In the last Reign,* every Body knows who they were that made their most constant Court at St. *James's*, and we see in what Favour they are in at present.

Now there is a great deal of Zeal for this Union, I wish from my Soul that the Advantages may attend it of Tranquility, and Security, Power, Peace and Plenty, as is intended by it; but yet it is possible Men may be mistaken, I won't say they will ever repent of it; but I will take leave to say what I have formerly said in this place, That what has been, may be.

This Speech of his Lordships, as well as what other weak Opposition had been made to the Union, were but like the Struggles of Drowning Men; for the well affected in both Nations had carried it to this height, and there was too many warm Hearts in the *English* House of Lords to let it sink again; so that little re-

main'd after the reading of the Bill than for Her Majeſty to give it the Royal Aſſent, which was done the 6th of *March*: Her Majeſty making the following moſt Gracious Speech at the ſame time to both Houſes.

My Lords and Gentlemen,

IT is with the Greateſt Satisfaction, that I have given My Aſſent to a Bill for Uniting England *and* Scotland *into One Kingdom.*

I Conſider this Union, as a Matter of the Greateſt Importance to the Wealth, Strength, and Safety of the whole Iſland, and at the ſame time, as a Work of ſo much Difficulty, and Nicety in its own Nature, that till now all Attempts, which have been made towards it in the Courſe of above a Hundred Years, have proved Ineffectual; and therefore I make no doubt but it will be Remembred, and Spoke of hereafter to the Honour of thoſe, who have been Inſtrumental in bringing it to ſuch a Happy Concluſion.

I Deſire and Expect from all My Subjects of both Nations, that from henceforth they Act with all poſſible Reſpect and Kindneſs to one another, that ſo it may appear to all the World, they have Hearts diſpos'd to become One People.

This will be a great Pleaſure to Me, and will make Us all quickly Senſible of the good Effect of this Union.

And I cannot but look upon it as a peculiar Happineſs, that in My Reign, ſo full a Proviſion is made for the Peace and Quiet of My People, and for the Security of Our Religion, by ſo firm an Eſtabliſhment of the Proteſtant Succeſſion throughout GREAT BRITAIN.

Gentlemen of the Houſe of Commons,

I take this Occaſion to remind you of making effectual Proviſion for the Payment of the Equivalent to Scotland *within the time Appointed by this Act, and I am Perſwaded you will ſhew, as much Readineſs in this particular, as you have done in all the other Parts of this GREAT WORK.*

My

My Lords and Gentlemen,

The Seaſon of the Year being now pretty far Advanc'd, I hope you will Continue the ſame Zeal, which has appear'd throughout this Seſſion, in Diſpatching what yet remains Unfiniſh'd of the Publick Buſineſs before you.

To which in return, the Lords and Commons join'd in the following Addreſs to Her Majeſty.

The Humble Addreſs of the Right Honourable the Lords Spiritual and Temporal, and Commons in Parliament Aſſembled the 8th of March, 1706.

'WE Your Majeſties moſt Dutiful Subjects, the Lords Spiritual and Temporal, and Commons in Parliament Aſſembled, Return Our moſt humble Thanks to your Majeſty for Your Gracious Approbation of the Share We had in Bringing the Treaty of an Union between Your Two Kingdoms of *England* and *Scotland* to a Happy Concluſion: A Work, that (after ſo many fruitleſs Endeavours) ſeems Deſign'd by Providence, to Add new Luſtre to the Glories of Your Majeſty's Reign: The Succeſs of Your Arms having Secured Us from all Attempts from Abroad; And the Care Your Majeſty has Taken of the Firm Eſtabliſhment of the Proteſtant Succeſſion, having given a Great and Laſting Security to Our Religion, as in the Church of *England* by Law Eſtabliſh'd: We beg Leave humbly to Aſſure Your Majeſty, That Our Endeavours ſhall never be Wanting to Support Your Government at Home, and ſo to Eſtabliſh the Peace of this Iſland, that no Diſpute may Remain among Us, but how to Acknowledge in the moſt Dutiful Manner, the Auſpicious Conduct of ſo Great and ſo Renown'd a Queen.

Her Majeſty's moſt Gracious Anſwer to the Addreſs of both of Houſes Parliament.

My Lords and Gentlemen,

I Am glad to find your Opinion ſo perfectly Agrees with Mine concerning this Union.

You cannot do Me a more acceptable Service, than by uſing your utmoſt Endeavours to Improve all the Good Conſequences of it.

Having thus Comprehended the Glorious Union of the two Kingdoms, within the Compaſs of this Hiſtory, we think fit here to conclude, only we ſhall take notice of the Lord High Commiſſioners Speech at the breaking up of the Parliament of *Scotland*.

My Lords and Gentlemen,

THE Publick Buſineſs of this Seſſion being now over, its full time to put an End to it. I am perſwaded that We and Our Poſterity will reap the Benefit of the Union of the Two Kingdoms; and I doubt not, but as this Parliament has had the Honour to Conclude it, you will in your ſeveral Stations, Recommend to the People of this Nation, a grateful Senſe of Her Majeſty's Goodneſs and great Care for the Welfare of Her Subjects, in bringing this Important Affair to Perfection; and that you will promote an Univerſal Deſire in this Kingdom, to become one in Heart and Affections, as we are inſeperably joined in Intereſt with our Neighbour Nation.

My Lords and Gentlemen,

I have a very deep Senſe of the Aſſiſtance and Reſpect I have met with from you in this Seſſion of Parliament, and I ſhall omit no occaſion of ſhewing to the utmoſt of my Power, the Grateful Remembrance of it.

FINIS.

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